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12.A. Separating Active Duty Commissioned and Warrant Officers

12.A.1. General

12.A.1.a. Continuation of Status


The President appoints regular Coast Guard and Coast Guard Reserve officers to an indefinite term. Once an individual legally accepts a commission or warrant in the Coast Guard and executes the oath of office, he or she acquires a status which continues until it is legally terminated.

12.A.1.b. Methods of Separation

Complete separation from the Coast Guard is accomplished by:

1. Acceptance of resignation;
2. Dismissal;
3. Revocation of commission or warrant;
4. Dropping from the rolls;
5. Termination until it is legally terminated; or
6. Discharge for cause.

12.A.1.c. Terminating Active Duty

Terminating active duty (without completely separating from the Coast Guard) includes retirement and a Reserve officer's release to inactive duty. Retirement procedures appear in  [Chapter 12.C](#).


12.A.2. Types of Officer Discharges

12.A.2.a. General

This Article discusses the discharge types and detailed procedures approved for Coast Guard officers. Officers who totally separate from the Coast Guard or Coast Guard Reserve while on active duty are entitled to one of the following discharges.

12.A.2.b. Honorable Discharge

The Service generally grants an Honorable Discharge to officers under circumstances which would warrant such a discharge for enlisted members. The following standards govern issuing honorable discharge certificates:

1. Acceptance of unqualified resignations as described in  [Article 12.A.6.a](#).

2. Discharge because of failure selection for promotion.
3. Administrative separation for cause for reasons specified in [☞ Article 12.A.15.c.1.](#)
4. Other conditions generally resulting in an honorable discharge for enlisted members.

12.A.2.c. General Discharge

The Service grants a General Discharge to officers administratively separated for cause if the cause for separation or an officer's previous record would preclude honorable discharge but is not of such a nature as to require discharge under conditions other than honorable; for example:

1. Acceptance of resignations submitted in the form described in [☞ Article 12.A.6.b.](#)
2. Separation for cause for reasons specified in [☞ Article 12.A.15.c.2.](#)

12.A.2.d. Discharge Under Other Than Honorable Conditions

The Service generally grants a discharge under other than honorable conditions to officers separated for reasons other than dismissal pursuant to general court-martial sentence if the circumstances prompting separation are deemed counter to traditional naval concepts of "honor," in the following types of situations; for example:

1. Acceptance of a resignation to escape dismissal, typically for the good of the Service and submitted in the form described in [☞ Article 12.A.6.c.](#)
2. Acceptance of a resignation for the good of the Service in lieu of trial by court-martial, submitted in the form described in [☞ Article 12.A.6.d.](#)
3. Acceptance of a resignation for the good of the Service. Submit this type of resignation in the form described in [☞ Article 12.A.6.c.](#)
4. Separation of officers for a civil authority conviction on criminal charges (except for officers dropped from the rolls under [☞ Article 12.A.14.](#)).
5. Officers dropped from the rolls do not receive a certificate of discharge.
6. Separations for other reasons which would warrant a discharge under other than honorable conditions or a bad conduct discharge for enlisted members.

12.A.2.e. Dismissal Pursuant to General Court-Martial Sentence

Officers dismissed from the Service pursuant to a sentence of general court-martial do not receive a certificate of discharge. Their only separation document is a letter signed by the Secretary or an authority to which he or she has lawfully delegated the function to inform the officer concerned of his or her trial, conviction, sentence, departmental action on and approval of the sentence, and fact of dismissal. This is the lowest type of separation from the Service, and in all respects equals a dishonorable discharge.

12.A.2.f. Administrative Separation

In all cases in which an officer is recommended for administrative separation from the Service, the recommending authority shall also recommend the type of discharge that should be granted under this article.

12.A.2.g. Issuing Authority

Commander (CGPC-opm) will determine the type of discharge and direct the servicing Personnel Reporting Unit (PERSRU) to prepare the appropriate discharge certificate in the officer's separation order, either in writing or via message. Under no circumstances will any ship or station ever issue any form of discharge certificate to an individual separated from the Service as a chief warrant or commissioned officer.

12.A.3. Inter-Service Transfers of Regular and Reserve Active Duty Officers

12.A.3.a. General

Per 10 U.S.C. 716, **and notwithstanding any other provision of law, any commissioned officers of a uniformed service may be transferred from their uniformed service to, and appointed in, another uniformed service. The following applies:**

1. The officer must consent to the transfer.
2. An officer transferred from the Coast Guard may not be appointed in another Service at a higher rank or precedence than that held on the date before transfer.
3. Transfers will be made only within authorized strength limitations to officers who have fulfilled **their** obligated service requirements.

12.A.3.b. Procedure

1. Normally, an individual officer initiates a transfer by submitting a request through the chain of command to Commander (CGPC-opm). A justification of the requested transfer as being in the interest of national security and the individual officer must accompany all requests.
2. Commander (CGPC-opm) will indicate concurrence or disagreement and send the request to the Department of Defense.
3. If the Coast Guard and Department of Defense approve the request, the two affected Services will terminate the officer's current commission and reappoint him or her in the other Service without interrupting the continuity of his or her total military service.
4. An officer transferred under this Article is placed on the receiving Armed Force's applicable promotion or lineal list in an appropriate position as determined by the amount of promotion list service he or she earned in his or her parent Service on the day before transfer. Grade and date of rank are determined by applying the amount of promotion list service to the appointment laws in effect for the Service to which the officer is transferring.
5. An officer transferred under this Article is credited with the unused leave which he or she was credited at the time of transfer and the total military service with which he or she was credited on the day before transfer.

12.A.4. Vacant

12.A.5. Resignations

12.A.5.a. General

Regular and reserve officers retain their commission at the pleasure of the President. This Article lists the criteria to voluntarily terminate an officer's status as deemed necessary for current Service requirements and the needs of the officer corps.

12.A.5.b. Submitting Requests to Resign

Officers must submit voluntary requests to resign in writing to Commander (CGPC-opm) through the chain of command. Commander (CGPC-opm) carefully notes the immediate commanding officer's comments, which should contain pertinent facts or reasons that underlie the request. To receive an acknowledgment the request was received, provide your e-mail address in the letter and indicate you would like to receive acknowledgement the request was received.

12.A.5.c. Deadline

An officer may submit an unqualified request to resign (☞ Article 12.A.6.a.) not more than one year in advance but in sufficient time to reach Commander (CGPC-opm) six months before the requested resignation date. Exceptions to these time limits may be granted in hardship cases. Due to shortages that may occur in specialized communities, depending on the timing of resignation requests, approved separation dates may be up to 12 months from the date of the request should the needs of the Service require.

12.A.5.d. Acceptance

A resignation has no effect until competent authority accepts it. Upon receiving and acknowledging a request for resignation, Commander (CGPC-opm) establishes the terminal date and supplies the officer with an information letter and accounting data pending final acceptance by the Secretary of Transportation on behalf of the President.

12.A.5.e. Denying a Request

Except in very unusual circumstances, Commander (CGPC-opm) will not accept an officer's resignation under these conditions:

1. The officer has not completed active obligated service.
2. The officer has not completed one year at his or her INCONUS or two years at his or her OUTCONUS duty station.
3. A state of emergency exists during which Service needs clearly preclude accepting a resignation.
4. Commander (CGPC-opm) issued orders to duty outside the continental limits of the United States before receiving the letter tendering a resignation.

12.A.5.f. Request for Reserve Commission

An officer whose resignation is accepted and who has no obligation under 10 U.S.C. 651 is not required to accept a Coast Guard Reserve appointment. However, officers whose service has been satisfactory are encouraged to do so, since Reserve service will be desirable for the Coast Guard and advantageous to the individual. All officers requesting resignation shall state whether or not they desire a Coast Guard Reserve commission. Requests for Reserve Commissions should be submitted to Commander, (CGPC-rpm). To ensure there is no break in service, requests should be submitted at least 120 days prior to discharge. Once the officer has been appointed by the Secretary of Transportation and has executed the Acceptance and Oath of Office form (CG-9556) PERSRUs should ensure the member is accessed into the Reserve in accordance with the SDA II User Manual, HRSICINST M5231.2 (series).

12.A.5.g. Temporary Officers

An enlisted member serving as a temporary commissioned officer who resigns and has no obligation under 10 U.S.C. 651 will be discharged. Should a temporary officer who has an obligation under 10 U.S.C. 651 be granted a resignation, he or she will be given the choice of either a Reserve commission followed by release to inactive duty or reversion to permanent status and transfer to the Reserve to complete the required service. Temporary officers who resign their commission are encouraged to accept a commission in the Coast Guard Reserve.

12.A.5.h. Withdrawing a Request



Based on Service needs, Commander (CGPC-opm) may grant the officer concerned approval to withdraw a request to resign; **however, the officer must acknowledge in writing that he or she understands that he or she will be required to complete a minimum of two (2) years active duty from the date of cancellation.**

12.A.5.i. Disapproving a Request

The Commandant may decide to retain officers on active duty beyond their requested resignation date based on Service needs.

12.A.6. Forms of Officers' Resignations

12.A.6.a. Unqualified Resignation

1. The Coast Guard is interested in the reasons why an officer voluntarily separates from the Service and a Coast Guard career. Therefore, it is important for an officer submitting his or her resignation to state precisely the reasons for doing so. If an officer desires to resign to attend school, enter business, or accept a position in civilian life, he or she should say so. If an officer is resigning because he or she thinks his or her chances for promotion in the Service are poor, the pay is inadequate, or the deprivation of home life is excessive, he or she should state these reasons as well.
2. The form in which to submit an unqualified resignation is:
 - a. I hereby submit my resignation from the United States Coast Guard and request its acceptance effective [date].
 - b. [State reasons for resigning commission.]
 - c. I have been informed and understand if my request to resign is accepted, I subsequently shall receive a certificate of honorable discharge from the Coast Guard.
 - d. I [do/do not] desire a commission in the U.S. Coast Guard Reserve. I understand to receive retired pay at age 60, I must complete at least 20 years' satisfactory Federal service, the last eight years of which must be qualifying service as a Reserve component member in compliance with 10 U.S.C. 12731.
3. Officers requesting voluntary, unqualified resignation may also be eligible for Temporary Separation described in  Section 12.F. Officers are encouraged to become familiar with the provisions of  Section 12.F prior to submission of a request for voluntary, unqualified resignation.

12.A.6.b. Qualified Resignation if General Discharge Follows

An acceptable form for submitting this type of resignation is:

I hereby submit my resignation from the United States Coast Guard and request its acceptance. I have been informed and understand if my resignation is accepted, I will receive a certificate of general discharge. Although the Coast Guard considers this separation to be under honorable conditions, I understand it is not the highest qualitative type of separation provided for Coast Guard officers; and, while I will be entitled to the major portion of veterans' rights and benefits presently authorized former officers whose service has been similar to mine, if any present or future statute specifically requires honorable discharge as a condition of granting rights or benefits, my eligibility for them may be at least doubtful.

12.A.6.c. Resignation for the Good of the Service

An acceptable form for submitting this type of resignation is:

I hereby submit my resignation from the United States Coast Guard for the good of the Service and request its acceptance. I have been informed and understand if my resignation for the good of the Service is accepted, I will receive a discharge under other than honorable conditions; I may be deprived of substantial rights, benefits, and bounties Federal or State legislation confers or hereafter may confer on persons with honorable service in the Armed Forces of the United States; and I may expect to encounter substantial prejudice in civil life in situations in which the nature of service rendered in or character of separation from the Armed Forces may have a bearing.

12.A.6.d. Resignation in Lieu of Trial Before a General Court-Martial

1. The usual form for submitting this type of resignation is:

I hereby submit my resignation from the United States Coast Guard for the good of the Service and in lieu of trial before a general court-martial. I have been informed and understand if my resignation for the good of the Service and in lieu of trial by general court-martial is accepted, I subsequently **may** receive a discharge under other than honorable conditions; I may be deprived of substantial rights, benefits, and bounties Federal or State legislation confers or later may confer on persons with honorable service in the Armed Forces of the United States; and I may expect to encounter substantial prejudice in civil life in situations in which the nature of service rendered in or the character of separation from the Armed Forces may have a bearing.

2. As the form of the resignation indicates, the officer concerned submits it as an alternative to facing trial before a general court-martial and to preclude the possibility such a trial might result in conviction, with ensuing sentence perhaps extending to dismissal from the Service and imprisonment. Whenever practical, an officer desiring to submit such a resignation should be given a receipted copy of the charges and specifications preferred; or, if they actually have not been preferred, should receive a receipted set of sample charges and specifications alleging offenses for which the officer might be brought to trial. Further, it is usually required prior to permitting an officer to resign in this manner he or she submit with the resignation a complete, detailed confession to the offense(s) at issue.
3. It is desirable for a psychiatrist, or a medical officer if a psychiatrist is not conveniently available, to submit for the case record a statement with his or her professional observations and impressions of the apparent mental and physical condition of the officer submitting the resignation.
4. Officers whose resignations for the good of the Service and in lieu of trial before a general court-martial are accepted **may** be awarded a discharge under other than honorable conditions.

12.A.7. Releasing Reserve Officers to Inactive Duty

12.A.7.a. Conditions for Approval

Commander (CGPC-opm) will approve a request for release to inactive duty (RELAD) or early release from a Reserve officer who has not fulfilled his or her active duty obligation only under the conditions listed below. Reserve officers serving under an active duty agreement normally must complete the period of active duty specified by the agreement.

1. When a specific program for early releases applicable to all Reserve officers within a group has been approved, **or**;
2. When the needs of the Service clearly would be served by approving the request, **or**;
3. When a hardship of extreme degree exists which the officer's early release can alleviate.

12.A.7.b. Automatic Release

Reserve officers not serving under active duty agreements and who have no outstanding obligation for continued active service will be released automatically to inactive duty when their period of active duty expires. **This includes officers who have greater than eight, but less than 18, years total service.** Commander (CGPC-opm) normally issues release orders four months in advance.


12.A.7.c. Officers Outside CONUS

Members assigned to OUTCONUS units are required to complete a minimum of two years at that unit before Commander (CGPC-opm) will consider them eligible for voluntary release.

12.A.7.d. Release of RPAs

Officers whose RPA designation has been removed under  [Article 1.B.3.i.](#) will be released to inactive duty.

12.A.8. Involuntary Release of Reserve Officers

1. At any time, the Commandant may release a Reserve officer involuntarily to inactive duty. Commanding officers or other officers in the chain of command may recommend an involuntary release from active duty of a Reserve officer in their command **in the form of a letter to Commander (CGPC-opm) containing the following information:**
 - a. Officer's name;
 - b. Length of service;
 - c. Period of time officer was observed;
 - d. Reason for recommendation;
 - e. Specific facts or circumstances relating to performance;
 - f. Medical reports or opinions, if applicable;
 - g. Nature of counseling and other steps taken to correct deficiencies, if applicable;
 - h. Officer's response to counseling, if applicable;
 - i. Special Officer Evaluation Report, if applicable.
2. The recommending officer shall grant the officer concerned an opportunity to review the recommendation and permit him or her to comment as desired by letter endorsement.
2. A panel of senior officers as described in  [Article 12.A.11.b.3.](#) shall review the recommendation. After thoroughly reviewing the officer's record, the panel recommends to the Commandant either releasing the officer or closing the case.
3. Commander (CGPC-opm) sends the panel's recommendations to the Commandant for approval, modification, or disapproval (14 U.S.C. 281).

12.A.9. Discharging Active Duty Reserve Officers

When it is necessary to recommend a Reserve officer serving on active duty for discharge from the U. S. Coast Guard Reserve, the following guidance applies.


1. Reserve officers with fewer than three years commissioned service being considered for an honorable discharge for the reasons in [☞ Article 12.A.15.c.1.](#) will be processed as outlined in [☞ Article 12.A.11.b.](#) Commander, (CGPC-rpm) will serve as a member of the panel of officers established in [☞ Article 12.A.11.b.](#)
2. Reserve officers with fewer than three years commissioned service being considered for a general discharge for reasons contained in [☞ Article 12.A.15.c.2. or 3.](#) will be processed by a single, special board of officers guided by the applicable procedures outlined in [☞ Article 12.A.15.h.](#) A Reserve officer shall serve as a member of the board.
3. All Reserve officers with at least three years commissioned service being considered for discharge will be processed using the three-board process described in [☞ Article 12.A.15.](#) A Reserve officer shall serve as a member of each board if possible.
4. Reserve officers discharged due to board action or at their request in lieu of board action receive an honorable discharge if [☞ Article 12.A.15.c.1.](#) applies and a general discharge if [☞ Article 12.A.15.c.2. or 3.](#) applies. Determine the amount of separation pay, if entitled, by computing years of service and basic pay as defined in the [☞ U.S. Coast Guard Pay Manual, COMDTINST M7220.29 \(series\).](#)

12.A.10. Physical Examination

12.A.10.a. Terminology

The term “unfit for continued service” is used in this Article rather than “not fit for duty.” “Not fit for duty” is a local medical term meaning the member is unable to perform the immediate duties to which assigned for a short period of time. A finding of “not fit for duty” does not qualify the member for processing in the Physical Disability Evaluation System (PDES), and does not mean the member is not qualified for separation. A member could be “not fit for duty” and still be separated if the existing impairment does not lead to a physical disability as defined in the [☞ Physical Disability Evaluation System, 1850.2 \(series\)](#) unless Commander (CGPC-opm) or (CGPC-epm) with the advice of Commander (CGPC-adm) considers it necessary to correct a physical defect. “Unfit for continued service” means a physical disability exists which renders the member unfit to perform the duties of his or her office, grade, rank, or rating. This determination can be made only through the PDES and could lead to the member’s separation, except as provided in [☞ Article 17.A.2.](#)

12.A.10.b. Requirement

An officer being separated shall schedule any necessary physical examination so it is completed at least 60 days before the effective date of separation or release, although Commander (CGPC-opm) will not delay a separation or release date solely because the officer failed to complete a scheduled physical examination. A scheduled separation or release date may be delayed only if a question exists about a member's unfitness for continued service so as to require convening a medical board under the  Physical Disability Evaluation System, COMDTINST M1850.2 (series) or if serious disease or injury intervenes. The district commander or commanding officer of the Headquarters unit concerned will issue any travel orders necessary to obtain a physical examination.

12.A.10.c. Exemption

If an officer has had a physical examination within one year of separation or release, a physical examination is not required before separation (e.g., retirement, resignation, or discharge) or release to inactive duty.

12.A.10.d. Physical Disability Evaluation System

If an officer enters the Physical Disability Evaluation System (PDES) or serious disease or injury intervenes before a scheduled separation or release, the command shall inform Commander (CGPC-opm-1) and (CGPC-adm) expeditiously by message or letter, which if necessary shall include a request for an appropriate delay in the officer's separation or release date. Delays of not more than 30 days will be granted at a time.



12.A.10.e. Delaying Separation

An officer's separation for hospitalization, medical observation, or PDES processing may be delayed only if the officer involved consents. If the officer withdraws that consent in writing, Commander (CGPC-opm) shall separate the officer not later than 60 days from the date such notice was received (14 U.S.C. 295).

12.A.10.f. Action Upon Physical Examination Results

This general guidance addresses various outcomes of a physical examination for separation or release.

1. If an officer is found qualified for separation or release the officer is processed for separation or release as scheduled.
2. If an officer is found qualified for separation or release and disagrees with the finding, Commander (CGPC-opm) and (CGPC-adm) shall be notified immediately.

3. If a question exists about an officer's unfitness to perform duties Commander (CGPC-opm) and (CGPC-adm) shall be notified immediately by message or letter. The officer shall then be processed under the  **Physical Disability Evaluation System**, COMDTINST 1850.2 (series), Chapter 3.
4. If a question exists about an officer's unfitness to perform duties and he or she still desires to separate, comply with  [Article 12.C.3.b](#).
5. The following chart illustrates these guidelines.

Finding of Physical Examination	Member Agrees	Member Disagrees	Officer's Command Takes This Action
Fit for Duty	X		Send SF-88 and CG-4057 to Commander, (CGPC-opm), who issues separation orders
Fit for Duty		X	Notify Commander, (CGPC-opm) and comply with Article 3-B-5(e), Medical Manual, COMDTINST M6000.1 (series)
Unfit for Continued Service	X		Notify Commander, (CGPC-opm) and comply with Chapter 3, Physical Disability Evaluation System, COMDTINST M1850.2, (series)
Unfit for Continued Service		X	Comply with Article 12.C.3. , Personnel Manual, COMDTINST M1000.6 (series)


12.A.11. Revoking Officers' Commissions in Their First Three Years of Service

12.A.11.a. General

1. The Service considers **the** first three years of an officer's career a probationary period during which he or she demonstrates ability to adapt to the requirements of Coast Guard life and shows capability for future development. Some officers either are unable to adapt to service life or their performance indicates it is doubtful whether the time and effort required will form them into effective officers.
2. The authority to revoke an officer's commission under this article is not designed for use when court-martial or separation for cause proceedings would be more appropriate.

12.A.11.b. Procedure

1. A commanding officer or a superior in the chain of command may recommend revoking the commission of an officer who has fewer than three years of continuous service as a Coast Guard commissioned officer. Commander (CGPC-opm) also may initiate board action to revoke an officer's regular commission based on knowledge of adverse information about the officer. A commanding officer or superior in the chain of command shall recommend revocation in the form of a letter to Commander (CGPC-opm) containing the following information.

- a. Officer's name;
 - b. Length of service;
 - c. Period of time officer was observed;
 - d. Reason for recommendation;
 - e. Specific facts or circumstances relating to performance;
 - f. Medical reports or opinions, if applicable;
 - g. Nature of counseling and other steps taken to correct deficiencies;
 - h. Officer's response to counseling;
 - i. Special Officer Evaluation Report, if applicable.
2. The recommending officer shall grant the officer concerned an opportunity to review the recommendation and permit him or her to comment as desired by letter endorsement.
3. A panel of senior officers, normally consisting of the Coast Guard Personnel Command's Chief, Administration Division; Chief, Officer Personnel Management Division; and a senior officer representative from the Headquarters division **(or Commander (CGPC-rpm) in cases of Active Duty Reserve Officers per  Article 12.A.9.1)** with cognizance of the officer's specialty shall review the recommendation. After thoroughly reviewing the officer's record, the panel recommends to the Commandant either executing the revocation proceedings under this Article or closing the case. Closing an officer's case does not preclude considering a subsequent recommendation to revoke his or her commission if additional facts or subsequent actions so warrant.
4. Commander (CGPC-opm) sends the panel's recommendations to the Commandant for approval, modification, or disapproval (14 U.S.C. 281).
5. Nothing contained in this Article shall prevent the court-martial of any officer in appropriate circumstances.

12.A.11.c. Separation

Officers whose commissions are revoked under this Article shall be discharged not later than three months from the date the panel report is approved; however, if the officer will have accumulated three years' commissioned service during this three-month time frame, the officer will be discharged not later than the day prior to the day the officer accumulates that service.

12.A.12. Vacating a Temporary Appointment

12.A.12.a. Authority

The appointing officer may vacate a temporary appointment made under [☞ Article 1.A.3.c.](#) at any time. An officer whose appointment is so vacated reverts to his or her permanent status (14 U.S.C. 214 (c)).

12.A.12.b. Procedure

1. A commanding officer or a superior in the chain of command may recommend vacating any temporary officer's appointment to Commander (CGPC-opm). Commander (CGPC-opm), also may initiate board action to vacate an officer's temporary commission based on adverse information about the officer. [☞ Article 12.A.8.](#) sets forth the criteria and procedure to vacate a temporary officer's appointment.
2. If Service needs dictate, the Commandant may vacate the appointment of temporary officers without regard to the [☞ Article 12.A.11.](#) criteria. In this circumstance, he or she will consider all officers with temporary commissions. An officer whose appointment is so vacated reverts to his or her permanent status.
3. At his or her sole discretion, the Commandant may vacate the commission of temporary officers who have completed physician assistant training but fail to attain certification from the National Commission of Certification of Physician Assistants during their first two years of commissioned service, or subsequently fail to maintain this certification. An officer whose appointment is so vacated reverts to his or her permanent status.

12.A.13. Failing Selection for Promotion or Continuation

12.A.13.a. Chief Warrant Officers

[☞ Article 5.B.4.c.](#) if a chief warrant officer fails selection for promotion for the second time.

12.A.13.b. Ensigns

If during an ensign's first three years of commissioned service, a selection board for promotion to lieutenant (junior grade) determines his or her performance is unsatisfactory or he or she fails selection for promotion a second time, irrespective of [☞ Article 12.A.9.](#) and [12.A.11.](#) provisions, the Commandant may revoke the ensign's commission or vacate a temporary appointment in accordance with 14 U.S.C. 281, 14 U.S.C. 214(e), OR 10 U.S.C. 1162, as applicable.

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ensign's commission or vacate a temporary appointment in accordance with 14 U.S.C. 281, 14 U.S.C. 214 (e), or 10 U.S.C. 1162, as applicable.

12.A.13.c. Lieutenants (Junior Grade)

Each permanent Regular Coast Guard officer serving as a lieutenant (junior grade) who fails selection for promotion to lieutenant for the second time shall:

1. Be honorably discharged not later than 30 June of the promotion year in which the second failure of selection occurs, or
2. If he or she so requests, be honorably discharged at an earlier date without loss of benefits that would accrue if the member were discharged on the date specified in 1. above, or
3. If on the date specified for discharge in this Article, the member is eligible for retirement under any law, retire on that date (14 U.S.C. 282).

12.A.13.d. Lieutenants


1. Each permanent Regular Coast Guard officer serving in the permanent grade of lieutenant who has failed selection for promotion to lieutenant commander for the second time shall:
 - a. Be honorably discharged not later than 30 June of the promotion year in which the second failure of selection occurs, or
 - b. If the member so requests, be honorably discharged at an earlier date without loss of benefits that would accrue if the member were discharged on that date under a. above, or
 - c. If on the date specified for discharge in this article, the member is eligible for retirement under any law, retire on that date; or
 - d. If on the date specified for discharge in a. above, the member has completed at least 18 years of active service, remain on active duty and retire on the last day of the month in which he or she completes 20 years of active service, unless earlier removed under another provision of law.
2. If Service needs require, the Commandant may direct a selection board convened under [Article 14.A.10.a.](#), to recommend for continuation on active duty for terms of between two and four years a designated number of permanent Regular lieutenants who otherwise would be discharged or retired under this Article. When so directed, the board shall recommend for continuation on active duty the officers under consideration who it believes are best-qualified for continuation.

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With the Commandant's approval and despite subparagraph 1., each officer so recommended may continue on active duty for the recommended term. When he or she completes such term, unless selected for promotion or further continuation by a subsequent board, the officer shall be discharged honorably with severance or separation pay, as applicable, computed as shown in the Pay Manual, COMDTINST M7220.29 (series) or, if eligible for retirement under any law, retire.


3. If an officer who continues on active duty under subparagraph 2 is not selected for promotion by a subsequent board, he or she shall be retired on the last day of the month in which he or she completes 20 years of active service unless removed earlier from active duty (14 U.S.C. 283).

12.A.13.e. Regular Officers Serving Under Temporary Appointments


A Regular Coast Guard temporary officer appointed under  [Article 1.A.3.](#) who serves as lieutenant (junior grade) or lieutenant and fails selection for promotion to lieutenant or lieutenant commander, respectively, for the second time shall:

1. Be honorably discharged not later than 30 June of the promotion year in which the second failure of selection occurs, or
2. If the member so requests, be honorably discharged at an earlier date without loss of benefits that would accrue if the member were discharged on that date under 1. above, or
3. If on the date specified for discharge in this Article the member is eligible to retire under any law, retire under that law on that date.
4. Each officer subject to discharge or retirement under this Article may elect to revert to his or her permanent grade (14 U.S.C. 284).

12.A.13.f. Lieutenant Commanders and Commanders

Lieutenant commanders or commanders who fail selection to the next higher grade for the second time shall remain on active duty and retire under  [Article 12.C.5.](#)

12.A.13.g. Captains

If a board convened under 14 U.S.C. 289 does not recommend a captain for continuation on active duty, he or she shall retire in accordance with  [Article 12.C.5.](#)

12.A.13.h. Effective Date of Separation

If this Article or [Article 12.C.5.](#) would require the discharge or retirement of any officer above the grade of ensign fewer than six months after approval of the report of the board which considered but did not select the officer:

1. For promotion for the second time or continuation, that officer's discharge or retirement shall be deferred until the last day of the sixth calendar month after such approval, or
2. For promotion for the third (or more) time, that officer shall be retired effective the last day of the month in which the officer completes 20 years' active service, unless earlier removed under another provision of law.

12.A.14. Dismissing or Dropping from the Rolls

12.A.14.a. Limitation on Dismissal

No commissioned officer may be dismissed from any Armed Force except:

1. By sentence of a general court-martial;
2. In commutation of a sentence of a general court-martial; or
3. In time of war, by order of the President.

12.A.14.b. Dropping from the Rolls

The President may drop from any Armed Force's rolls any commissioned officer who:

1. Has been absent without authority for at least three months, or
2. Is sentenced to confinement in a federal or state penitentiary or correctional institution after a court other than a court-martial or other military court has found that officer guilty of an offense and whose sentence has become final (10 U.S.C. 1161).

12.A.15. Separating Regular Coast Guard Officers for Cause

12.A.15.a. Authority

Pursuant to authority contained in 14 U.S.C. 321-327, this Article contains regulations to separate commissioned Regular Coast Guard officers for cause. While chief warrant officers are subject to the same provisions, all cases involving those officers are processed under [Article 12.A.21.](#)

12.A.15.b. Discussion

1. No person has an inherent right to continue to serve as an officer. An officer retains the privilege of service only so long as he or she performs satisfactorily. Responsibility for leadership and example requires an officer to accomplish his or her duty effectively and conduct himself or herself properly at all times. Retaining officers substandard in performance of duty or conduct, deficient in character, or otherwise unsuited for military service cannot be justified. There is no place for these individuals in the Coast Guard.
2. Every officer deserves a fair chance to demonstrate his or her capabilities. If an officer shows ineffective tendencies, especially if inexperienced, if possible the Service gives him or her another chance under another commanding officer. However, commanding officers should systematically record ineffectiveness in documents specific as to the period each covers, the duties observed, and the defects noted. The Service must remove any officer who has been given a fair chance to become an effective officer and has not done so lest others pay with their lives for his or her weakness.
3. A recommendation for separation under this Article cannot be based on empty generalities or vague impressions. It is necessary to establish with exactitude the reasons why an officer is considered ineffective. Basically, this officer is one who does not get acceptable results. Inefficiency is a relative matter, and a specific definition of the ineffective officer cannot be given. Many ineffective officers are decent, well-mannered, educated, honorable, intelligent, generous, and yet ineffective. It is perfectly proper to credit an officer for good qualities in the same letter or evaluation report which reveals ineffectiveness as an officer.


12.A.15.c. Causes for Separation

1. The existence of one or more of these or similar conditions **may require** removing an officer for substandard performance of duty or failure to meet standards prescribed by the Commandant:
 - a. Downward trend in overall performance resulting in unacceptable service or a consistent record of substandard service.
 - b. Failure to keep pace or progress with contemporaries; e.g. consistent below-average performance when compared to other officers of the same grade and length of service or failure of physician assistants to maintain certification from the National Commission on Certification of Physician Assistants.
 - c. Failure to exercise necessary leadership or command expected of an officer of the same grade.

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- d. Failure to assimilate the technical proficiency required of his or her grade.
 - e. Failure to properly discharge assignments commensurate with his or her grade and experience.
 - f. Apathy, a pattern of conduct showing the development of a defective attitude, or other character and behavior disorders including inability or unwillingness to expend effort.
 - g. Failure to meet established weight standards.
2. Existence of one or more of these or similar conditions may require removing an officer for moral or professional dereliction:
- a. Discreditable intentional failure to meet personal financial obligations.
 - b. Mismanaging personal affairs detrimentally affecting the officer's performance of duty.
 - c. Mismanaging personal affairs to the discredit of the Service.
 - d. Intentionally omitting or misstating facts in official statements or records for the purpose of misrepresentation.
 - e. Acts of personal misconduct prohibited by military or civilian authorities.
 - f. Homosexual conduct as defined in [☞ Article 12.D.4.](#)
 - g. Intentional or negligent failure to perform duties or negligence in performing duties.
 - h. Conduct unbecoming an officer.
 - i. Involvement in a drug or alcohol incident as defined in Chapter 20 of this Manual.
 - j. One act of sexual harassment by assault or coercion, or conduct demonstrating an established pattern of sexual harassment by crude or offensive behavior, sexist behavior, and/or unwanted sexual attention.
[☞ Article 8.I.](#) and CG Sexual Harassment Prevention System, Commandant Instruction 5350.30 (series) for definitions and guidelines on sexual harassment.
 - k. Involvement in a prohibited relationship. [☞ Chapter 8.H.](#) for policy guidance.
 - l. An act, either committed or omitted, or other behavior clearly not consistent with the interests of national security requires removing an officer.
 - m. An unreasonable refusal to submit to necessary and proper medical or dental treatment considered by competent medical or dental officers to be necessary to render member fit for duty (as determined by a medical board convened in accordance with the provisions of [☞ Physical Disability Evaluation System, COMDTINST M1850.2 \(series\)](#)).**
 - n. A repeated refusal to receive an immunization ordered by competent authority.**

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3. Any one of these or similar reasons causes serious doubt as to the advisability of permitting the officer concerned to retain a commission and normally prompts a review of his or her overall record. This review will determine if this derogatory information, when viewed in conjunction with other aspects of his or her record, warrants a recommendation for separation. Standing alone any one of these conditions may not support separation. However, any one of them when combined with other known deficiencies could form a pattern which, when viewed in relation to an officer's overall record, requires separation.
 - a. Punishment under the Uniform Code of Military Justice, Article 15.
 - b. Conviction by court-martial or a civil court.
 - c. Denial of security clearance.
 - d. Derogatory evaluation report.
 - e. Failure to be recommended for promotion by a selection board selecting officers for promotion on a fully qualified basis.
 - f. Failure by a Regular Coast Guard officer of any required course of training, instruction, or indoctrination at a service school.
 - g. An approved finding of misconduct by a board of investigation.
4. Officers with less than three years of commissioned service will normally be processed under  [Article 12.A.9.](#) or [12.A.11.](#) depending upon their status.

12.A.15.d. Relationship of Separation to Discipline

A commanding officer shall not use separation in lieu of disciplinary action under the UCMJ, but if he or she believes the Service's and officer's interests will be served better by separation proceedings rather than disciplinary action, he or she may so refer any charges. The fact a court-martial has occurred shall not prohibit subsequent proceedings under this Article; however, separation proceedings may not be initiated until a prior UCMJ proceeding is complete.

12.A.15.e. Initiating Action

Commander, (CGPC-opm) shall review an officer's Personal Data Record (PDR) and weigh all facts and circumstances to determine whether an officer should be considered for action under this Article. If Commander, (CGPC-opm) decides further processing is warranted, Commander, (CGPC-c) will refer the case to a determination board. At any time, an area commander, district commander, maintenance and logistics commander, or unit commanding officer may request Commander, (CGPC-opm) to review an officer's PDR to determine whether the officer should be considered for separation.

12.A.15.f. Requiring Officers to Show Cause for Retention

At any time and place Commander, (CGPC) may convene a board of officers to review any Regular Coast Guard officer's record to

decide whether the officer should be required to show cause for retention on active duty because:

- a. The officer's performance of duty has declined below the prescribed standards; or
 - b. The officer has demonstrated moral or professional dereliction; or
 - c. Retention is clearly inconsistent with the interests of national security.
2. A board of officers convened to review an officer's records (a "determination board") shall consist of at least three officers in the grade of commander or above who all are senior to any officer they consider.
 3. The determination board will impartially review the officer's PDR, the initiating officer's recommendation, and all other available information relevant to the reasons for separation to determine whether it should require the officer to show cause for retention.
 4. The determination board does not examine witnesses. It is limited to considering the documents presented to it.
 5. Commander, (CGPC-opm) sends the determination board's findings to Commander, (CGPC-c), who will notify the officer concerned the determination board has found either:
 - a. The officer should not be required to show cause for retention and the case is closed; or
 - b. The officer should be required to show cause for retention.
 6. If a determination board decides an officer is required to show cause for retention on active duty, Commander, (CGPC-opm) will:
 - a. Give the officer a copy of the determination board's findings and all documents pertinent to the case except those the Commandant determines should be withheld in the interest of national security;
 - b. Notify the officer in writing of the reasons for which he or she is being required to show cause for retention (notification shall be sent through the officer's commanding officer, who in turn shall state by endorsement the date of delivery to the officer concerned);
 - c. Notify the officer that Commander, (CGPC-c) will convene a board of inquiry to hear the case at least 30 days after the date of notification of the

determination board's findings;

- d. Inform the officer his or her appearance before a board of inquiry is the only opportunity to appear in person on his or her own behalf before final action in the case;
 - e. Notify the officer if separated from the Service after action by a board of review or at his or her own request after a determination board's finding he or she is required to show cause for his or her retention on active duty, the officer will receive an honorable discharge if the reason for separation is one contained in [Article 12.A.15.c.1. and 5.](#), and a general discharge if the reason is contained in [Article 12.A.15.c.2. or 3](#);
 - f. Notify the officer of his or her entitlement to severance or separation pay, as applicable;
 - g. Notify the officer that if retired after action by a board of review or at his or her own request after a determination board's finding, the officer will be subject to evaluation under [Article 12.C.15.](#) provisions as to satisfactory service in a temporary grade;
 - h. Allow the officer reasonable time, at least 30 days, to prepare his or her defense;
 - i. Allow the officer to appear in person and to be represented by counsel at proceedings before a board of inquiry; and
 - j. Allow the officer full access to and furnishes copies of records relevant to the case at all stages of the proceedings, except a board shall withhold any records the Commandant determines should be withheld in the interests of national security. If any records are withheld under this clause, the officer whose case is under consideration shall, to the extent national security permits, be given the actual records or copies of them with the classified portions deleted.
7. The officer concerned must acknowledge receipt of the determination board's findings within five days of receipt. The officer returns the receipt to Commander, (CGPC-opm-1) through the chain of command.
8. An officer who has been notified a determination board has found he or she should be required to show cause for retention on active duty may apply for voluntary retirement or request early discharge from the Service. If the officer takes neither action, he or she shall be ordered to appear before a board of inquiry.

12.A.15.g. Physical Qualifications for Separation

If a determination board notifies an officer he or she must show cause for retention in the Service under [Article 12.A.15.f.6.](#), the command concerned shall ensure the officer reports immediately to the nearest medical facility for a standard physical examination as described in the Medical Manual, COMDTINST M6000.1 (series) if the officer has not completed one within the preceding three months. If travel is necessary in connection with the physical examination, the district commander or commanding officer of the Headquarters unit concerned will issue the travel orders. If the officer has a condition which requires him or her to enter the physical disability evaluation system or a serious disease or injury intervenes, Commander (CGPC-opm) and (CGPC-adm) shall be notified expeditiously by message. In these cases, the officer concerned is normally processed concurrently for cause under this Article and in the physical disability evaluation system. A final determination on the officer's status normally will not be made until both processes are completed.

12.A.15.h. Board of Inquiry

1. Purpose. The board of inquiry affords officers a fair, impartial hearing at which they have an opportunity to establish their retention in the Coast Guard is warranted. The officers concerned may present evidence to refute matters of record offered against them or otherwise establish they should be retained. The board of inquiry will consider all relevant evidence presented at the hearing and make findings and a recommendation based on a preponderance of evidence.
2. Composition.
 - a. The board of inquiry shall consist of at least three officers, but in any case an odd number, commanders or above, all of whom are senior to the grade of any officer the board is considering. No officer shall sit as a member of a board of inquiry if he or she:
 - (1) Is a witness in the case before the board;
 - (2) Was a member of the determination board in the case under consideration (this provision does not apply to Reserve officers because their cases are referred directly to a special board of officers);
 - (3) Appeared as a witness before or was a member of any previous determination board, special board, board of inquiry, or board of review which considered the officer for separation;
 - (4) Initiated, investigated, was a member of, or was the reviewing authority in a court-martial before which the officer concerned was the accused;



- (5) Previously recommended or participated in a recommendation for the officer's demotion, removal, or relief from active duty; or
 - (6) Previously was a reporting officer on any performance evaluations the board will view.
 - b. The board of inquiry will be assigned both a non-voting recorder and a non-voting legal advisor. The legal advisor shall meet the qualifications of Article 27(b), UCMJ, and if feasible also UCMJ Article 26(b) qualifications.
3. Instructions. After the board of inquiry convenes the legal adviser will instruct it as to its purpose. These instructions will be transcribed verbatim in the board's proceedings. The instruction will include, but need not be limited to, the following items:
- a. By its action, the board establishes the minimum level of performance of duty or integrity acceptable of Coast Guard officers.
 - b. The board of inquiry is an administrative board not subject to the rules and procedures governing court or court-martial action. It does not judge the determination board's action.
 - c. As a result of the determination board's findings, the officer must show cause for retention on active duty. At the board of inquiry, the officer concerned has the opportunity to present evidence to refute matters of record offered against him or her or otherwise establish the Service should retain him or her. (Although not processed by a determination board, Reserve officers may provide evidence to refute matters of record offered against them or otherwise establish they should be retained. These same standards apply to chief warrant officers being considered for separation under [Article 12.A.21.](#)).
 - d. If the board determines it needs additional information to evaluate the case properly, it may request the information through the convening authority.
 - e. The board receives evidence presented during the board proceedings.
 - f. The board evaluates all evidence and information it receives or develops on the matter it is considering in the hearing and arrives at a clear, logical finding consistent with the information and evidence presented.
 - g. On the basis of its findings the board determines whether the Coast Guard should or should not retain the respondent.

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- h. The board makes appropriate recommendations consistent with its determination.
- i. While the board considers old reports and records in establishing a pattern of substandard conduct or misconduct, an officer's instances of good performance or conduct in the remote past cannot negate a record of progressively deteriorating performance of duty or conduct.
- j. An officer cannot offset allegations involving a defect in character or integrity by a rebuttal which attempts to emphasize other qualities in his or her favor.
- k. The board may consider these additional items to assist it in evaluating material submitted to it:
 - (1) A record of recently improved performance may result from an unusual effort on the officer's part after learning he or she was recommended for separation for cause. By itself it does not overcome a pattern of ineffectiveness. The board may consider improved performance together with other evidence in the record to determine whether the officer has overcome the pattern.
 - (2) Promotion or selection for promotion, while proper evidence on the officer's behalf, does not necessarily justify his or her retention.
 - (3) Where poor performance is involved, it is essential for the board to examine the entire performance file in detail. In doing so, the board should consider these aspects.
 - (a) The length of time each report covers.
 - (b) The duty the officer performed and the level at which performed.
 - (c) The trend in performance—up or down—as the officer gained experience.
 - (4) Copies of all performance evaluations made available to the board will be made available to the officer concerned and vice versa. An officer's claim he or she was not aware of unfavorable remarks contained in such reports is not grounds for the board not to consider them.
 - (5) The officer concerned often solicits letters of commendation or appreciation or letters stating the officer's value to the Service. In some cases, these letters may be the only kind of evidence an officer is able to offer in refuting an accusation. The board must evaluate the

circumstances under which these letters are solicited in determining what weight it should give them. In so determining, it is proper for the board to consider the letter of solicitation if one exists, the period during which the writer knew or was closely acquainted with the officer, the writer's familiarity with the officer's habits and reputation, and the relationship between the writer and the officer, if any.

(6) The board may use punishment by court-martial or Article 15, UCMJ, for misconduct to support removal under these regulations.

4. Rights of Officer Concerned. The legal advisor shall explain to the officer concerned he or she has the following rights:
- a. The officer may present evidence, represent himself or herself, or be represented by military counsel qualified under Article 27 (b), UCMJ, or civilian counsel of his or her own choice in all open board of inquiry proceedings; the officer must pay expenses incident to retaining civilian counsel.
 - b. At any time before the Commandant's final decision, the officer may apply for voluntary retirement, if eligible, or request early discharge under  [Article 12.A.15.f.](#) or 14 U.S.C. 327, as applicable.
 - c. The officer may challenge for cause any voting member of the board.
 - d. The officer may request any witness whose testimony is pertinent to the case to appear as a witness before a board of inquiry hearing. The recorder of the board will invite those witnesses who meet  [Article 12.A.15.h.5.\(j\)](#) requirements to appear.
 - e. The officer's counsel may question any witness brought before the board.
 - f. The officer is entitled to his or her rights under Article 31, UCMJ, and may or may not submit to examination by the board of inquiry.
 - (1) If he or she desires to submit to examination or make a statement under oath, he or she will be sworn.
 - (2) If he or she does not desire to make a sworn statement, the officer or the officer's counsel may make an unsworn statement, orally, in writing, or both. If the officer concerned makes an unsworn statement, he or she will not be subject to the board's cross-examination.
 - g. The officer will be allowed full access to and furnished copies of records

relevant to the case at all stages of the proceedings. However, the board shall withhold any records the Commandant determines should be withheld in the interest of national security. If a board withholds any records under this clause, the officer whose case is under consideration shall be furnished a summary of the records so withheld. Additionally, the officer will be furnished, to the extent the national security permits, the actual records or copies of them with the classified portions deleted.


- h. The officer has the right to know how his or her officer evaluation reports or other reports on performance of duty reflect his or her past performance.
- i. The officer or the officer's counsel may make a closing argument at the conclusion of presentation of evidence.
- j. The officer is entitled to receive a copy of the verbatim transcript of proceedings.

5. Procedure.

- a. A board of inquiry does not follow strict rules of evidence in its proceedings. The board should allow the officer concerned to present his or her case without undue interference; however, the officer should observe reasonable bounds of relevance. Decisions on the validity of these regulations and the constitutionality of the statutes authorizing this procedure are outside the board's responsibilities, and the board should not permit argument on these matters. The assigned legal adviser decides questions on the procedures prescribed by these regulations.
- b. Voting members of the board will not review the case before the hearing.
- c. The board will not allow spectators to be present during the proceedings, except those the officer concerned specifically requested in writing and the board president authorized. No one scheduled to be called as a witness or who has been a witness may be present as a spectator.
- d. A board of inquiry may call witnesses on its own motion.
- e. Witnesses appearing before the board shall testify under oath or affirmation.
- f. The board's assigned legal advisor may not present the case or cross-examine witnesses. The legal advisor is present at all open sessions, instructs the board and respondent as appropriate, rules on all questions of evidence and procedure, and may excuse a member on challenge for cause.
- g. The president may seek the legal advisor's guidance whenever necessary, but

the legal advisor will advise the board in open session in the presence of the officer concerned and his or her counsel and these proceedings become a part of the record. However, after the board has announced its recommendations in open session, it may request the legal advisor to attend its closed session to assist in the final drafting of the findings and recommendations.

- h. A majority vote by secret written ballot shall decide any issue properly before the board for determination.
- i. The board shall keep a verbatim record of its proceedings in open session.
- j. On the board's behalf the recorder invites both the officer's and the Government's witnesses to appear if both are reasonably available and their testimony can contribute materially to the case. The procedures and policies in Rule 703, Rules for Courts-Martial, MCM, 1984, will be used as a general guide in determining what witnesses will be invited to appear. Article 49, UCMJ, will be used as a general guide in determining witnesses' availability. Using depositions or affidavits to obtain testimony of witnesses who are not reasonably available and of stipulations, when appropriate, is encouraged.
 - (1) If their superior determines Service requirements will not permit their appearance, the supervisor may prohibit Coast Guard members or civilian employees whose presence is requested as witnesses from appearing before the board, which then will use depositions or affidavits.
 - (2) Witnesses will travel by official military transportation when practical. If official military transportation is not available, witnesses may use commercial. The Government pays a civilian witness's fees and mileage under the Military Justice Manual, COMDTINST M5810.1 (series).
- k. Recorder's Responsibilities.
 - (1) When the board of inquiry is convened, the board's recorder will examine and become familiar with all aspects of the case.
 - (2) The recorder determines if further investigation or additional documents are necessary to evaluate the case properly. If the recorder determines additional information is needed, he or she should request it as soon as possible.
 - (3) The recorder obtains factual information about requested and prospective witnesses' availability and then determines under [Article 12.A.15.h.5.j.](#) above which requested witnesses he or she will invite to appear on both the officer's and Government's behalf.



- (4) The recorder ensures any travel orders necessary in accordance with  Article 12.A.15.h.5.j. are issued promptly.
- (5) The recorder notifies the board members in person or in writing of the time and place set for the hearing. He or she notifies the officer concerned by letter of the time and place set for the hearing and furnishes a copy to the officer's commanding officer.
- (6) The recorder furnishes the officer concerned a copy of any records or other documentary material the board of inquiry will consider.
- (7) The recorder makes other necessary preparations for the orderly progress of the case at the board hearing.
- (8) The recorder ensures that a transcript of the hearing is prepared.
- (9) The recorder also ensures the board has available a copy of these regulations.
- (10) The recorder presents any material considered relevant to assist the board in reaching its finding.
- (11) The recorder may cross-examine any witnesses called by the respondent.
- (12) The recorder may present an opening statement and a final argument for the board's consideration.

6. Deliberations.

- a. A board of inquiry must carefully consider the facts of each case and be specific with respect to the underlying facts which support its findings and recommendations. The president of the board must ensure board members are completely familiar with the facts developed in each case, as well as the purpose of the board of inquiry.
- b. Before the board determines its findings and recommendations, it should review the purpose for which it was constituted, its guidance, and the evidence present before it in considering the following:
 - (1) The determination board found the officer concerned should be required to show cause. (Not applicable for Reserve officers with fewer than three years' service or for any chief warrant officer.)

- (2) The purpose of the board of inquiry is to afford the officer concerned an opportunity to present evidence to refute matters of record offered against him or her or to otherwise establish the Service should retain him or her.
- (3) The officer concerned must refute the Government's evidence and present evidence affirming his or her contention he or she is qualified to retain his or her current status.
- (4) The board must consider an officer's record as a whole and make its recommendation based on a preponderance of evidence. Refuting any single reason for removal does not necessarily refute other documented reasons the board considers.

7. Findings and Recommendation.

- a. The board determines its findings and recommendation by secret written ballot in closed session.
- b. The board prepares a brief statement of the reason(s) (including factual data if necessary for clarification) for its findings.
- c. After the board determines the findings, it makes an appropriate recommendation, limited to either retention or separation without qualifications.
- d. A board of inquiry cannot concurrently recommend any proposal short of separation once it has concluded an officer should be separated for cause.
- e. Final Action for Reserve and Chief Warrant Officer Proceedings. For Reserve officers processed for separation under  [Article 12.A.9.](#) and chief warrant officers processed under  [Article 12.A.21.c.](#), the president of the board shall advise the officer in open session of its recommendation and all applicable procedural matters listed as follows:
 - (1) If the special board finds the officer should be retained, the case shall be closed.
 - (2) If the special board recommends separation, its recommendation shall be sent to the Commandant who has final decision authority. The officer shall be furnished a copy of the verbatim record of the special board proceedings. Within 10 days after receiving or having access to a copy of the record of the special board proceedings, the officer or his or her counsel may submit a responsive rebuttal, limited to matters brought

before the special board, to Commander, (CGPC-opm-1).

(3) A summary of the board proceedings shall be sent to the Commandant.

8. Final Action for Regular Officers. In open session the president of the board advises the officer of its determination and all applicable procedural matters listed as follows:

a. When a board of inquiry determines the Service should retain the officer:


(1) The case shall be closed.

(2) A summary of the board's proceedings shall be sent to Commander, (CGPC-c).

(3) Commander, (CGPC-c) notifies the officer in writing through the chain of command.

b. When a board of inquiry determines the officer should be separated:

(1) Commander, (CGPC-c) notifies the officer in writing through the chain of command.

(2) A board of review will consider the case as described in  [Article 12.A.15.i.](#)

c. Within 10 days after he or she receives or has access to a copy of the record of the board of inquiry proceedings, the officer or his or her counsel may file with the president of the board of review (c/o CGPC-opm-1) a rebuttal to the board of inquiry's findings and recommendations. If the officer files such a statement, he or she shall file a copy with the recorder to the board of inquiry, who in turn has 10 days in which to file a rebuttal to the statement of rebuttal and send to the officer concerned.

d. A verbatim record of the board of inquiry proceedings shall be sent to Commander, (CGPC-c) with a statement that the officer concerned was also furnished a copy.

12.A.15.i. Board of Review

1. On receiving the proceedings record of the board of inquiry which recommends separating an officer for cause, Commander, (CGPC-c) convenes a board of review.

2. The board of review consists of three officers senior to the members of the board of inquiry which considered the case. An officer may not be a member of the final review board if he or she was a member of the determination board or board of inquiry which considered the case or is ineligible to be a member of the board of inquiry for any reason listed in [Article 12.A.15.h.2.](#)
3. The board of review reviews the records and documented evidence the board of inquiry considered and made a part of its proceedings and any additional information the officer concerned or the recorder submitted under [Article 12.A.15.h.8.](#), to determine whether the officer concerned has or has not established he or she should be retained in the Coast Guard.
4. The officer concerned will not appear before the board of review, nor will counsel represent him or her.
5. After reviewing the case, the board of review determines without qualification whether to retain or separate the officer.
6. The officer is notified of the review board's findings and determination in writing through the chain of command.
7. If the board of review determines to retain the officer, the case is closed and Commander, (CGPC-c) so advises the officer in writing through the chain of command.
8. If the board of review determines to separate the officer, the board of review proceedings and its recommendation shall be sent to the Commandant who has final decision authority.
9. If the Commandant concurs with the board of review recommendation, the officer shall be separated. If the Commandant finds the officer should be retained, the case shall be closed. In either decision, Commander, (CGPC-c) so advises the officer in writing through the chain of command of the final action taken in the case.

12.A.15.j. Separation Date

An officer removed from active duty under these proceedings who does not request voluntary retirement before the specified separation date separates as specified in 14 U.S.C. 327(b) on the first day of the second month after that in which the Commandant approves the recommendation of the board of review. For example, if the Commandant approves the recommendation on 15 May, the officer shall be separated on 1 July.

12.A.16. Revoking the Coast Guard Band Director's Designation

The Secretary may revoke any designation as Director of the Coast Guard Band. If the Secretary does so, the member's appointment to commissioned grade under [Article 1.A.6.](#) terminates and the member has the following options.

1. Discharge from the Coast Guard; or
2. Reverting to the grade and status held when designated Director (14 USC 336).

12.A.17. Releasing Retired Recalled Officers from Active Duty

12.A.17.a. General

A retired officer recalled to active duty retains his or her retired status whether temporarily or permanently retired or transferred from the Temporary Disability Retired List (TDRL) to the Permanent Retired List while on active duty.

12.A.17.b. Release From Active Duty

On completing the term of service for which recalled, the Service either continues the retired officer for a further period of service or releases him or her from active duty; the released officer is entitled to recompute retired pay for years of service under 10 USC 1402.

12.A.17.c. Physical Disability

1. If an officer permanently retired for other than physical disability is recalled to active duty and while on active duty is found to have a physical disability of more than 30 percent, the officer remains on the Permanent Retired List and is entitled to recompute retired pay under 10 USC 1402 on release from active duty.
2. An officer on the Temporary Disability Retired List or retired permanently for physical disability who is recalled to active duty and found to have a physical disability in addition to or that aggravates the physical disability for which he or she retired is entitled to recompute retired pay under 10 USC 1402 on release from active duty.

12.A.17.d. Grade on Release

Since an officer can retire only once, the officer is released from active duty. The provisions of [Article 12.C.15.f.](#) do not apply. When released from active duty the retired officer is entitled to the grade in which he or she retired, to which certified on retirement or any higher grade to which promoted after recall to active duty.

12.A.18. Separating an Officer Serving in a Foreign Country

☛ Article 12.B.46.a. applies to officers. Address requests to Commander (CGPC-opm-1).

12.A.19. Severance and Separation Pay

12.A.19.a. Discharge Date

At his or her request and with the Secretary's approval, the Service may honorably discharge a Regular commissioned officer (except a commissioned warrant officer) retained on active duty under ☛ Articles 12.A.13.d. or f. and a commissioned warrant officer retained under ☛ Article 5.B.4. at any time before the otherwise specified retirement or discharge date.

12.A.19.b. Severance Pay

1. Each Regular lieutenant (junior grade), lieutenant, lieutenant commander, or commander involuntarily honorably discharged under ☛ Article 12.A.13. is entitled to a lump sum payment. The officer must elect severance pay and be discharged from active duty before becoming retirement eligible (14 USC 286).
2. The ☛ Pay Manual, COMDTINST M7220.29 (series), contains computations for severance and separation pay.

12.A.19.c. Separated for Cause

A regular Coast Guard officer separated for cause under article ☛ 12.A.15.c.1. and not eligible for retirement is entitled to severance pay. A regular Coast Guard officer separated for cause with a general discharge under ☛ Article 12.A.15.c.2. for moral or professional dereliction and not eligible for retirement, is not entitled to severance pay.

12.A.19.d. Warrant Officers




A commissioned warrant officer separated under ☛ Articles 5.B.4.c., i.e., twice failing of selection, or discharged under ☛ Article 12.A.21. for reasons specified in ☛ Article 12.A.15.c.1. and not eligible for retirement is entitled to severance pay. A commissioned warrant officer separated for unfitness or unsuitability under ☛ Article 12.A.21. for reasons specified in ☛ Article 12.A.15.c.2., i.e., removal for moral or professional dereliction, and not eligible for retirement is not eligible for severance pay.

12.A.19.e. Offsetting Deductions


Accepting a lump sum payment under this article does not deprive a person of any United States retirement benefits. However, an amount equal to the lump sum payment (14 USC 286 for Regular officers and 10 USC 1174 for Reserve officers) shall be deducted from the former member's retirement payments. **Any member in receipt of separation or severance pay and who subsequently becomes entitled to retired pay will have their retired pay withheld until the former separation/severance pay recouped.**

12.A.19.f. Reserve Officers

Unless the Secretary determines that the conditions under which a member was separated or discharged do not warrant such pay, a Reserve officer serving as a Reserve Program Administrator (RPA) or on extended active duty (EAD) discharged or released from active duty who has completed six or more consecutive, but fewer than 20 years' active service immediately before that discharge or release is entitled to separation pay computed under the regulations below as determined by the Commandant if the discharge or release from active duty is involuntary or the member was not accepted for an additional tour of active duty for which he or she volunteered.


1. Reserve officers involuntarily discharged, separated, or released from active duty are entitled to separation pay calculated under Section 10-J.4a.(1),  Coast Guard Pay Manual, COMDTINST M7220.29 (series).
2. Reserve officers discharged or released from active duty for the causes specified in  [Article 12.A.15.c.1., 2., or 3.](#) are entitled to separation pay calculated under Section 10-J-4a.(2),  Coast Guard Pay Manual, COMDTINST M7220.29 (series).

12.A.20. Terminating a Chief Warrant Officer Appointment

The Secretary may terminate the appointment of a chief warrant officer of the Regular Coast Guard at any time within three years after the date he or she accepted the original appointment as a chief warrant officer. A chief warrant officer whose appointment is terminated under this Article is not entitled to severance pay but may apply to the Commandant to reenlist (10 USC 1165). If approved, he or she reenlists in a grade the Commandant directs but not in one lower than the rate he or she held immediately before appointment as a chief warrant officer (10 USC 515). The procedures described in  [Article 12.A.11.b.](#) apply.

12.A.21. Separating Chief Warrant Officers for Unfitness or Unsatisfactory Performance

12.A.21.a. General

The responsibility placed on chief warrant officers requires them to accomplish assigned duties effectively and adhere to proper standards of conduct at all times. Retaining chief warrant officers substandard in performance of duty or conduct, deficient in character, or otherwise unsuited for military service cannot be justified. The causes for separation listed in  [Article 12.A.15.c.](#) apply.

12.A.21.b. Special Boards

Commander (CGPC-c) may submit to a board of at least three Coast Guard officers whose permanent grade is commander or above the names, records, and reports of warrant officers **who have been commissioned warrant officers for at least three years.** From among the names so furnished, the board shall determine any officer whose reports and records establish, in the board's opinion, unfitness or unsatisfactory

performance of duty or the officer's unsuitability for promotion. A finding of not qualified for promotion is appropriate only in cases involving an officer previously selected for promotion and being evaluated under [Article 5.B.5.a.](#)

12.A.21.c. Chief Warrant Officer Evaluation Boards

1. If a board convened under [Article 12.A.21.b.](#) finds a chief warrant officer unfit or unsatisfactory in performing duty, the officer shall be referred to an evaluation board convened by the Commander (CGPC-c). The board shall be composed of at least three Coast Guard officers whose permanent grade is commander or above.
2. A chief warrant officer whom an evaluation board convened under 1. above is considering does not appear before the board. However, the officer shall be advised of the reasons for the board and given at least 30 days to submit material on his or her own behalf.
3. If the evaluation board recommends that the officer should be retained, the case shall be closed. If the evaluation board recommends separation, the board's report shall be sent to the Commandant who has final decision authority. The officer will be notified of the Commandant's decision in writing through the chain of command.
4. In accordance with 10 USC 1166 a warrant officer whom the Commandant finds unfit or unsatisfactory following an evaluation board retires or separates on the first day of the month following 60 days after the Commandant acts on the board's recommendation as follows:
 - a. If eligible for retirement under any provision of law, the officer shall be retired under that law.
 - b. If the chief warrant officer is not eligible for retirement under any provision of law but has accrued at least three years of active service creditable under Section 511 of the Career Compensation Act of 1949, as amended, since the date he or she accepted the original appointment as a regular chief warrant officer, the officer shall separate with severance pay under 14 USC 286a, unless the separation was for reasons listed in [Article 12.A.15.c.2.](#) and the officer received a general discharge. However, officers entitled to severance pay may refuse it and instead request to enlist in a grade the Commandant prescribes under 10 USC 515.**
 - c. A chief warrant officer with fewer than three years of such service shall be separated under 10 USC 1165 without severance pay. However, he or she may request and, if the Commandant approves, enlist under 10 USC 515 in a grade the Commandant prescribes.
5. If the Commandant does not find a chief warrant officer unfit or unsatisfactory following an evaluation board, the case shall be closed.

**Exhibit 12.A.1. PROCEDURAL GUIDE FOR A COAST GUARD BOARD OF
INQUIRY CONDUCTED IAW 14 USC §322**

The following script is to assist the Board of Inquiry:

Parties

Pres: This board will come to order. The time is _____ on _____. This hearing is being held at _____.

Rec: This board has been ordered by the Commander, Coast Guard Personnel Command by letter _____ (SSIC), dated _____, copies of which have been furnished to each member of the board, counsel for the respondent, and the respondent. This letter will be marked as Exhibit 1.

Rec: The respondent, _____, and the following persons detailed to the board are present:

President (senior member) _____

Member _____

Member _____

Counsel for the Board _____

Counsel for the respondent _____

Rec: _____ has been named reporter to this proceeding and will now be sworn. (Reporter rises and raises his or her right hand).

OATH: Do you swear or affirm that you will faithfully perform the duties of reporter to this board of inquiry so help you God?

[NOTE: If it is known in advance that one being sworn will "affirm" rather than "swear", the words "swear or" and "so help you God" should be omitted from the oath.]

Rptr: I do.

Rec: I am _____, and I have been detailed as recorder to the board. I am (not) qualified and certified under Article 27(b) of the Uniform Code of Military Justice & sworn under Article 42(a) UCMJ.

[NOTE: Mark counsel's detailing letter, if any]

Rsp Cnsl: I have been detailed to represent _____, the respondent, before this board by _____. I am qualified and certified under Article 27(b) of the Uniform Code of Military Justice and sworn under Article 42(a) UCMJ. (If a civilian attorney - I am admitted to practice law before the Supreme Court of the State of _____).

[NOTE: Mark counsel's detailing letter, if any]

Rights to Counsel

Pres: (To Respondent) _____, you have probably been advised of your rights to counsel established by the Coast Guard Personnel Manual and 14 U.S.C. 325. To insure that you fully understand those rights, I will describe them:

(1) You may choose to represent yourself, and not have counsel to assist you.

(2) You may be represented by

(a) _____ military counsel, qualified in accordance with Article 27(b), UCMJ appointed at no cost to you, or

(b) _____ civilian counsel of your own choice at no expense to the government.

Do you understand these rights to counsel?

Resp: [reply]

Pres: How do you choose to exercise your right to counsel?

Resp: [reply]

Pres: [To respondent's counsel] Do you perceive any actual or apparent conflicts of interest in your representation of _____?

Rsp Cnsl: [reply]

Precept for the Board

Rec: This board has been convened for the purpose of considering pertinent facts in the case of _____ USCG, who is being required to show cause for retention on active duty in the Coast Guard by reason of _____

(see determination board report & PERSMAN §12.A.15.c.)

Rec: (A copy of) the notification to the respondent that the Board of Determination in his/her case found that he/she should be required to show cause for retention on active duty in the Coast Guard and respondent's acknowledgement of same, is marked as Exhibit _____, and made part of the record.

[NOTE: The notification letter alone may not state the specific reason(s) why the officer must show cause for retention. If this information is not contained in the convening order, then include the basic Determination Board Report, without any additional documents, into the Board of Inquiry's record at this point. The only reason to incorporate the Determination Board's report into the record is to clearly establish the specific reason(s) why the officer must show cause for retention.]

Pres: The legal advisor will now instruct the board as to the purpose of the board of inquiry, as set forth in [article 12.A.15.h.3](#) of the Coast Guard Personnel Manual (COMDTINST M1000.6A).

Legal Advisor Instructions to the Board of Inquiry

Leg Ad: I am _____ and I have been appointed as legal advisor to this board. My duties are first of all to instruct the board regarding the purpose of the board and the procedural rules that the board will follow. Secondly, I will rule on questions concerning procedures, evidentiary questions, and challenges for cause presented against a member. I will also advise the president of the board on any other matters determined appropriate by the president. Any advice I give must only be given in open session, and will be made part of the record. I am required to be present for all open sessions, but I am prohibited from taking part in presenting the case or cross-examining witnesses. However, after the board has announced its recommendations in open session, it may request my presence in its closed session for the purpose of assisting in the final drafting of the findings and recommendations.

Leg Ad: The board is convened pursuant to 14 U.S.C. 321 - 327 and [Article 12.A.15](#) of the Coast Guard Personnel Manual, copies of which have been provided to the board.

Leg Ad: The purpose of the board is to afford _____ (Resp) a fair and impartial hearing at which he/she has an opportunity to establish that his/her retention in the Coast Guard is warranted. _____ may present evidence to refute matters of record offered against him/her or otherwise establish that he/she should be retained. The board of inquiry will consider all relevant evidence presented at the hearing and make findings and a recommendation based on a preponderance of evidence. The members of this board have been selected in accordance with the criteria established in the statute and the Coast Guard Personnel Manual. In summary, these provisions are:

- (1) There are at least 3 voting members.
- (2) There are an odd number of members and at least three.
- (3) All members serve in the grade of Commander or above and are senior to the respondent.
- (4) No officer may sit as a member of this board of inquiry if he or she:
 - (a) Is a witness in the case before the board;
 - (b) Was a member of the determination board in the case under consideration.

[Note: this provision does not apply to Reserve officers because their cases are referred directly to a special board of officers]

- (c) Appeared as a witness before, or was a member of any previous determination board, special board, board of inquiry, or board of review which considered the officer for separation;
- (d) Initiated, investigated, was a member of, or was the reviewing authority in a court-martial before which the officer concerned was the accused;
- (e) Previously recommended or participated in a recommendation for the officer's demotion, removal, or relief from active duty; or
- (f) Previously was a reporting officer on any performance evaluations the board will view.

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Leg Ad: (To the board) Does any member believe that any of these prohibitions applies to them?
[Negative response from all members OR go into detail.]

As you have previously been advised, _____(respondent) is being required to show cause for retention on active duty in the Coast Guard. The burden of proof rests with _____(respondent) to effectively refute the reasons why he/she was required to show cause for retention on active duty, or to otherwise produce evidence to establish that (s)he should be retained. (S)he will be represented by _____, who will present any evidence and examine and cross-examine witnesses on behalf of the respondent, and will be provided an opportunity to present a closing argument at the conclusion of the presentation of evidence.

Leg Ad: The recorder, _____, has marshaled the documentary evidence and has invited witnesses to appear (on behalf of both the government and the respondent). He/She has become familiar with all aspects of the case, and is prepared to assist the board by presenting relevant evidence to the board, and by examining and cross-examining witnesses. At the board's discretion, he/she will also be prepared to summarize the evidence and argue on behalf of the government at the end of the case.

Leg Ad: I will now advise you specifically regarding your duty as members of this board.

- (1) By its action, this board establishes the minimum level of performance of duty, integrity, or adherence to standards acceptable of Coast Guard officers. If this board determines that _____(respondent) has established that he/she should be retained, then his/her case will be closed and the officer retained. On the other hand, if this board determines that _____ has failed to establish that he/she should be retained, then you will send a recommendation for discharge to CGPC which will initiate the additional reviews required by law.
- (2) This board of inquiry is an administrative board not subject to the rules and procedures governing court or court-martial action. It does not judge the Determination Board.
- (3) As a result of the Determination Board's findings, _____ (respondent) must show cause for retention on active duty. At this board of inquiry, _____ has the opportunity to present evidence to refute matters of record offered against him or her or otherwise establish the Service should retain him or her.

[NOTE: Although not processed by a determination board, Reserve officers may provide evidence to refute matters of record offered against them or otherwise establish they should be retained. These same standards apply to chief warrant officers being considered for separation under --> [Article 12.A.21.](#)]

- (4) If this board determines it needs additional information to evaluate the case properly, you may request the information through the convening authority.
- (5) The board only receives evidence presented during the board proceedings.
- (6) The board evaluates all evidence and information it receives or develops on the matter it is considering in the hearing and arrives at a clear, logical finding consistent with the information and evidence presented.
- (7) On the basis of its findings the board determines whether the Coast Guard should or should not retain _____(respondent).

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- (8) Consistent with its determination, this board may cause the officer to be retained or may make a recommendation for discharge.
- (9) While the board may consider old reports and records in establishing a pattern of substandard conduct or adherence to standards, an officer's instances of good performance or good conduct in the remote past cannot negate a record of progressively deteriorating performance of duty, conduct, or adherence to standards.
- (10) An officer cannot offset allegations involving a defect in character or integrity by a rebuttal that attempts to emphasize other qualities in his or her favor.
- (11) The board may consider these additional items to assist it in evaluating any material submitted for the board's consideration:
 - (a) A record of recently improved performance may result from an unusual effort on the officer's part after learning he or she was recommended for separation for cause. By itself it does not overcome a pattern of ineffectiveness. The board may consider improved performance together with other evidence in the record to determine whether the officer has established that retention is warranted.
 - (b) Promotion or selection for promotion, while proper evidence on the officer's behalf, does not necessarily justify his or her retention.
 - (c) In cases where poor performance is involved, it is essential for the board to examine the entire performance file in detail. In doing so, the board should consider these aspects.
 - (d) The length of time each report covers.
 - (e) The duty the officer performed and the level at which performed.
 - (f) The trend in performance, up or down, as the officer gained experience.
 - (g) Copies of all performance evaluations, and all other documentary evidence, made available to the board will be made available to _____ (respondent). An officer's claim that he or she was not aware of unfavorable remarks contained in such reports is not grounds for the board not to consider them.
 - (h) The officer concerned in a board of inquiry often solicits letters of support. In some cases, these letters may be the only kind of evidence an officer is able to offer to refute the Determination Board's findings. The board must evaluate the circumstances under which these letters are solicited in determining what weight it should give them. In so determining, it is proper for the board to consider the letter of solicitation, the period during which the writer knew or was closely acquainted with the officer, the writer's familiarity with the officer's habits and reputation, and the relationship between the writer and the officer, if any.
 - (i) The board may use punishment by court-martial or Article 15, UCMJ, for misconduct to support removal under these regulations.

Procedures

Leg Ad: The following additional rules of procedural nature will apply to these proceedings.

- (1) A board of inquiry does not follow strict rules of evidence in its proceedings. The board should allow the officer concerned to present his or her case without undue interference; however, the officer should observe reasonable bounds of relevance.
- (2) Decisions on the validity of the PERSMAN and the constitutionality of the statutes authorizing this procedure are outside the board's responsibilities, and the board should not permit evidence or argument on these matters.
- (3) Spectators will not be allowed during the proceedings, unless the President so authorizes on the respondent's specific written request. No one scheduled to be called as a witness or who has been a witness may be present as a spectator.
- (4) Voting members of the board may not review the case before the hearing. The board may call witnesses on its own motion. All witnesses will be sworn.
- (5) Issues properly before the board shall be decided by a majority vote in a secret written ballot. The standard of proof applicable in these proceedings is by a preponderance of the evidence.
- (6) A verbatim record of these proceedings will be made.

Leg Ad: Mr. President, this concludes my preliminary instructions to the board. Does any member of the board have any questions regarding these instructions?

Pres: (To Respondent)_____, the legal advisor will now advise you of your rights as set forth in 14 U.S.C. 325 and [Article 12.A.15](#) of the Coast Guard Personnel Manual (COMDTINST M1000.6A). If you have any question in relation to these rights, do not hesitate to voice these questions either to me or in private consultation with your counsel.

Leg Ad: You may present evidence, represent yourself, or be represented by military counsel qualified under Article 27 (b), UCMJ, or civilian counsel of your own choice in all open board of inquiry proceedings. However, you must pay all expenses incident to retaining civilian counsel.

If this board recommends discharge then, at any time before the Commandant's final decision, you may apply for voluntary retirement, if eligible, or request early discharge under --> [Article 12.A.15.f](#). PERSMAN or 14 U.S.C. 327, as applicable.

You may challenge for cause any voting member of the board.

You may request that any witness whose testimony is pertinent to the case appear as a witness before a board of inquiry hearing. The recorder of the board will invite those witnesses who meet the requirements of [Article 12.A.15.h.5.\(j\)](#) of the Personnel Manual to appear.

You, or your counsel, may question any witness brought before the board.

You are entitled to your rights under Article 31, UCMJ. You have the right, at your option, to testify or not testify before this board. If you choose not to testify, that decision will not be considered in any manner against you and is not relevant to any determination before the board.

If you elect to testify before this board, then you may be examined or cross-examined by the recorder and this board on any matter considered relevant to these proceedings, regardless of whether or not you testified to these matters when questioned by your counsel.

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Leg Ad: Do you understand these rights?

Resp: [reply].

Leg Ad: If you desire to submit to examination or make a statement under oath, then you will be sworn.

If you do not desire to make a sworn statement, you or your counsel may make an unsworn statement, orally, in writing, or both. If you make an unsworn statement, then you will not be subject to cross-examination by the board or the recorder. However, the recorder may introduce evidence to rebut your statement.

Also, you may, if you wish, not testify or give any statement at all. If you do this, the board will not consider it against you in any way.

You have been, and will be, allowed full access to and furnished copies of records relevant to the case at all stages of the proceedings. This includes all officer evaluation reports and any other reports concerning your performance of duties. However, the board shall withhold any records the Commandant determines should be withheld in the interest of national security. If a board withholds any records under this clause, you shall be furnished a summary of the records withheld. Additionally, you will be furnished, to the extent the national security permits, the actual records or copies of them with the classified portions deleted.

You or your counsel may make a closing argument at the conclusion of presentation of evidence.

You are entitled to receive a copy of the verbatim transcript of these proceedings.

Finally, your failure to invoke any of your rights of which you have been apprised cannot be considered as a bar to the board's proceedings, findings, and recommendations.

Leg Ad: _____ Do you understand these rights as I have explained them? Do you have any questions?

Resp: [reply]

Pres: (To Respondent): _____, do you have any (other) questions about this board or these proceedings?

Resp: [reply]

(Swearing of the Board & Procedures for Challenges)

Pres: Now that the preliminary advice and instructions have been completed, we will proceed to the swearing and the qualification of the members of the board.

Leg Ad: (To Respondent) As I mentioned earlier, you have the right to challenge any "voting member" of the board for cause only. The president and the other members of the board are "voting members". The recorder and legal advisor are not "voting members" and may not be challenged.

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Leg Ad: A challenge may be made at any time during the proceedings. The grounds for challenge must show that the individual cannot be impartial on the issues before the board.

You or your counsel may question any voting member of this board in relation to any matter regarding possible grounds for a challenge for cause. I will determine any challenge for cause against a voting member.

Leg Ad: A sustained challenge will be reported to the convening authority, and, if it would reduce the number of members below three, the board will recess or adjourn until the convening authority appoints another member.

Leg Ad: (To Respondent:) _____, do you have any questions concerning this right or these procedures?

Resp: [reply]

Leg Ad: At this point the members of the board, the recorder, and I will be sworn.

(Members, recorder and legal advisor rise.)

Rec: (To members) Raise your right hand. Do you _____, _____, and _____, swear or affirm that you will faithfully perform all the duties incumbent upon you as members of this board of inquiry and that you will inquire into the matters now before you without partiality, so help you God?

Mem: I do.

Rec: (To Legal Advisor) Raise your right hand. Do you _____, swear or affirm that you will faithfully perform the duties of legal advisor for the board, so help you God?

Leg Ad: I do.

Pres: (To recorder) Raise your right hand. Do you _____, swear or affirm that you will faithfully perform the duties of recorder for the board, so help you God?

Rec: I do. (All take seats)

Rec: If any member of the board is aware of any matter which you believe may affect your ability to render a fair and impartial decision in the case now in hearing, you should now state such matters. (Ask each by name).

Mem: (I am not aware of any such matters.) (_____).

[NOTE: Any positive answers should be heard outside of the hearing of the members not involved.]

Pres: Does the respondent or counsel for the respondent wish to question any member of the board in relation to any matter regarding possible grounds for challenge for cause?

RC/Resp: [reply]

[NOTE: After the respondent has completed questioning the board member(s), the recorder and legal advisor may ask follow-up questions.]

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Pres: Is there a challenge for cause against any voting member of this board?

[NOTE: If a member is challenged, then all members should withdraw for any argument and the decision on the challenge.]

RC/Resp: Respondent (has no challenges for cause against any of the members) (challenges (member _____ on the basis that _____)).

[NOTE: If the board must be reconstituted as the result of a sustained challenge, repeat the appointing order procedures, as necessary.]

Pre-Hearing Matters

Pres: At this time, the recorder will state briefly any appropriate pre-hearing matters involving the board which should be preserved on the record, and if applicable, place into evidence any documentary material concerning same.

Rec: There are (no) (the following) pre-hearing matters to be placed before the board.
_____.

[NOTE: What may be placed on the record here as exhibits are such matters as requests for counsel, witnesses, or continuances, answers to same, proposed witness and documentary evidence lists, or any other correspondence or documents concerning the board which are deemed appropriate.]

Pres: Does the respondent or (his) (her) counsel have any comments, additions or objections to any of the foregoing concerning pre-hearing matters?

RC/Resp: [reply]

Evidentiary Matters

Leg Ad: The general procedures for hearing the evidence in the case are as follows:

- (1) The recorder will present any evidence considered relevant to a proper evaluation of the case.
- (2) The respondent will then be provided an opportunity to present evidence or call witnesses to show cause for retention on active duty.
- (3) Prior to hearing witnesses, the board, at its discretion, may recess to review the documentary evidence presented. This recess may either precede or follow the presentation of documents by the respondent.

Pres: Does the respondent, or counsel, have any questions or comments concerning the evidentiary procedures?

RC/Resp: [reply]

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Pres: The recorder will place on the record at this time the names of witnesses which are presently expected to testify before this board and their order of appearance.

Rec: The following witnesses, in the order listed, are expected to testify before this board:_____

_____.

[NOTE: If the witnesses and their order are on a written list, that document may be made an exhibit, if it is not already, with copies to the members, counsel, and respondent, in lieu of verbally listing witnesses.]

Pres: Are there any other witnesses which the respondent wishes to appear before this board?

RC/Resp: [reply]

Pres: (To Recorder)_____you may present any additional documentary evidence relevant to the board's inquiry

[NOTE: The following general procedure should be followed for each exhibit throughout the proceedings:]

Rec: The recorder has the following documents ready for presentation to the board for consideration in these proceedings.

Rec: I have previously advised the respondent and his/her counsel concerning these documents and have made them available for their inspection. I now show these exhibits (individually) to the respondent and his/her counsel for their inspection.

Rec: Exhibit #_____is _____.

[NOTE – give exhibits to the legal advisor who will hold until any objections are resolved.]

Pres: Does the respondent or his/her counsel have any objections concerning this exhibit?

RC/Resp: (No objection) (We object _____because_____).

Leg Ad: (1) (Your objection(s) is (are) noted for the record.)

(2) Exhibit _____is accepted and will be made part of the record.

(3) Exhibit _____is excluded as being (totally irrelevant) (_____). I will retain the exhibit until the board has reached its decision. The exhibit will then be included in the record as an exhibit offered but not admitted.

[NOTE: Repeat this procedure for each exhibit.]

Rec: I have no further documentary evidence.

Pres: Does the respondent, or counsel, have any documentary evidence to submit to the board at this time?

[NOTE: Offer the respondent an opportunity to introduce documents at this time following the same general procedure. However, the respondent may wait until the recorder has presented all of his/her evidence to introduce any evidence.]

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Pres: Before calling any witnesses, I intend to recess the board so that we may familiarize ourselves with the documents which have been admitted, and thus be better able to address the issues with witnesses that follow. Does either the recorder or the respondent or counsel have any other matter to bring to the board's attention before we recess the board?

Recess to Review Documents

The Board Reconvenes

Pres: The board will come to order.

Rec: The respondent, counsel for the respondent, recorder, legal advisor, the president and all members of the board are present.

Pres: We will now hear the witnesses.

Pres: (To Recorder)_____, call the first witness.

Rec: The first witness is _____.

Rec: Do you swear, or affirm, that the testimony that you shall give in the case in hearing shall be the truth, the whole truth and nothing but the truth, so help you God?

Wit: I do.

Rec: [question the witness]

RC/Resp: [Cross-examine the witness]

[NOTE: The board members are allowed to examine the witness. This usually occurs after the recorder and counsel for the respondent/respondent have concluded questioning. However, board members are free to interject questions at any point if necessary for them to follow the testimony of a witness.]

[NOTE: Proceed to hear all witnesses in a similar fashion.]

Rec: I have no further evidence to present.

Pres: (To respondent/respondent's counsel) Do you have any additional evidence that you would like to present?

RC/Resp: [Presents evidence]

RC/Resp: The respondent has nothing further to present.

[NOTE: The recorder may introduce rebuttal evidence, if appropriate, at this point.]

Pres: Is there any more evidence that the board should consider?

Rec: [reply]

RC/Resp: [reply]

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- Pres: Having no other evidence to be considered, the respondent and his/her counsel may make argument or address any other comments to the board at this time. The recorder has the option to make an opening and rebuttal argument.
- Rec: [Opening argument]
- RC/Resp: The respondent (waives argument) (has an argument for the consideration of the board)_____.
- Rec: [Rebuttal argument if any]

Final Board Instructions

- Leg Ad: Mr. President and members, I will now instruct you in certain matters which are appropriate for your consideration while the board is in closed session.

A board of inquiry must carefully consider the facts of each case and be specific with respect to the underlying facts which support its findings and recommendations. The president of the board must ensure board members are completely familiar with the facts developed in each case, as well as the purpose of the board of inquiry.

Before the board determines its findings and recommendations, it should review the purpose for which it was constituted, its guidance, and the evidence before it. You should also consider the following:

The determination board found that _____ should be required to show cause for retention.

[Not applicable for Reserve officers with fewer than three years' of service or for any chief warrant officer.]

The purpose of the board of inquiry is to afford the officer concerned an opportunity to present evidence to refute matters of record offered against him or her or to otherwise establish the Service should retain him or her.

The officer concerned, _____, must refute the Government's evidence and present evidence affirming his or her contention he or she is qualified to retain his or her current status.

The board must consider an officer's record as a whole and make its recommendation based on a preponderance of evidence. Refuting any single reason for removal does not necessarily refute other documented reasons the board considers.

The board determines its findings and recommendation by secret written ballot in closed session.

The board prepares a brief statement of the reason (including factual data if necessary for clarification) for its findings.

After the board determines the findings, it makes an appropriate statement concerning retention. This statement must be limited to either retention or separation without qualifications. A board of inquiry cannot concurrently recommend any proposal short of separation once it has concluded that an officer should be separated for cause.

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Once the board has reached a decision, you shall return to an open session. The president of the board will advise the officer of its determination and all applicable procedural matters.

[NOTE: If necessary, the legal advisor may instruct on specific issues raised by the case.]

Leg Ad: Mr. President do you, or any member of the board have any questions regarding the instructions I have given?

Pres: [reply]

Pres: At _____ hours, this board will now retire to deliberate.

Findings

Pres: The board will come to order.

Rec: The respondent, counsel for respondent, recorder, legal advisor, the president and all members of the board are present.

Pres: (To Respondent)_____, you are hereby advised that this board of inquiry recommends that you be (retained or separated).

[Continue from appropriate section below]

(IF RETENTION)

Pres: (To Respondent)_____, the board having recommended your retention on active duty, this case is now closed. The proceedings of the board of inquiry will be summarized, and you will be provided a copy of this summary. The original report will be forwarded to the Commander, (CGPC-c) who will formally notify you of the results in writing via the chain of command.

(IF SEPARATION RECOMMENDED)

Pres: (To Respondent)_____, since the board of inquiry has recommended separation, the record of the proceedings of this board will be forwarded to Commander, (CGPC-c) who will notify you of the results in writing through the chain of command.

A Board of Review will consider your case as described in [Article 12.A.15.i](#) of the PERSMAN and 14 USC §323.

You will be furnished a copy of the verbatim record of this board of inquiry, and of our findings and recommendations. If you would prefer, the copy of the record may be served on your counsel rather than yourself. Do you want the copy delivered to you or your counsel?

Resp: I wish my copy of the record be delivered to _____.

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Pres: Within 10 days after you receive or have access to a copy of the record of the board of inquiry proceedings, you or your counsel may file with the president of the Board of Review (c/o CGPC-opm-1) a rebuttal to this board of inquiry's findings and recommendation. If you or your counsel files such a statement, a copy must be provided to the recorder at this board of inquiry, who in turn has 10 days in which to file a rebuttal to your statement and send to you (your counsel) a copy.

The Board of Review will hear the case whether or not you file a statement of rebuttal. You will be furnished a copy of the report of the board of review. If the board of review recommends retention on active duty, your case is closed. If the board of review recommends separation, your case may be forwarded to the Commandant. In either case, you will be notified of the action of the board of review on the completion of its deliberations.

Pres: This completes the open session of this board of inquiry. The legal advisor is requested to join the board in closed session to assist in the final drafting of the findings and recommendation.

Pres: This board of inquiry is adjourned.

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12.B. Separating Active Duty Enlisted Members

12.B.1. General

12.B.1.a. Discharge Authority

Commander, Coast Guard Personnel Command is the Discharge Authority in all cases of administrative separation except in those cases specified in ☛ Articles [12.B.7.](#), [12.B.9.](#), [12.B.11.](#), [12.B.15.](#), [12.B.16.](#), and [12.B.20.](#) in which the district commander, maintenance and logistics commands, or commanding officer, as appropriate, may be the Discharge Authority.

12.B.1.b. Scope

The Service separates all Regular Coast Guard and Coast Guard Reserve active duty enlisted members according to the instructions contained in this Article. ☛ [Article 12.B.54.](#) contains a summary of various entitlements as they pertain to the different types of discharge. ☛ Reserve Policy Manual, COMDTINST M1001.28 (series) for processing Selected Reserve (SELRES) and Individual Ready Reserve (IRR) members.

12.B.1.c. Unqualified for Retention

The Armed Forces have the right and the duty to separate those members who clearly demonstrate they are unqualified for retention. Except for members separated under ☛ [Article 12.B.20.](#), separated members receive an appropriately characterized discharge certificate. At the same time, such members have rights the Coast Guard strives to protect. ☛ [Articles 12.B.15.](#), [16.](#), [18.](#), and [32.](#), as appropriate.

12.B.1.d. Retention or Separation

In determining whether a member should retain current military status or be separated administratively, the Service may evaluate the member's entire military record, including records of non-judicial punishment imposed during a previous enlistment or period of service, all courts-martial records or convictions, and any other material or relevant factors. Commanding officers, investigating officers, administrative discharge boards, and other agencies charged with making such decisions consider records of non-judicial punishment imposed during a previous enlistment or period of service only if, under the case's particular circumstances, the records would have a direct, strong probative value in determining whether retention or administrative separation is appropriate.

1. Cases in which the circumstances may warrant using such records ordinarily are limited to those involving patterns of conduct which become manifest only over an extended period of time.

2. When the Service considers a record of non-judicial punishment imposed during a current enlistment or period of service, isolated incidents and events remote in time or with insignificant value in determining whether retention or administrative separation should be effected shall have minimal influence on the determination.
3. If the Service decides to separate a member administratively, [Article 12.B.2.e.](#) applies in determining the type of discharge.

12.B.1.e. Cases Involving Concurrent Disability Evaluation and Disciplinary Action


1. Disability statutes do not preclude disciplinary separation. The separations described here supersede disability separation or retirement. If Commander, (CGPC-adm) is processing a member for disability while simultaneously Commander, (CGPC-epm-1) is evaluating him or her for an involuntary administrative separation for misconduct or disciplinary proceedings which could result in a punitive discharge or an unsuspended punitive discharge is pending, Commander, (CGPC-adm) suspends the disability evaluation and Commander, (CGPC-epm-1) considers the disciplinary action. If the action taken does not include punitive or administrative discharge for misconduct, Commander, (CGPC-adm) sends or returns the case to Commander, (CGPC-adm) for processing. If the action includes either a punitive or administrative discharge for misconduct, the medical board report shall be filed in the terminated member's medical personnel data record (MED PDR).
2. Notwithstanding subparagraph e.1. above, disability evaluation in a member's case may proceed if Commander, (CGPC-c) or the Commandant (G-C) so direct. In such a case, the Commandant decides the ultimate disposition.

12.B.1.f. Definitions

As used in this article, these definitions apply:

1. Member. An enlisted man or woman of the Coast Guard.
2. Discharge. Complete severance from all military status.
3. Release from Active Duty. Termination of active duty status and transfer or reversion to a Reserve component not on active duty.
4. Separation. A general term including discharge and release from active duty.

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5. Administrative Separation. Discharge or release from active duty when enlistment or required period of service expires or before then in the manner prescribed in this Article or by law but specifically excluding separation by sentence of general or special court-martial.
6. Military Record. A member's behavior while in military service, including general comportment and performance of duty.
7. Prior Enlistment or Period of Service. Service in any Armed Forces component which culminated in issuing a discharge certificate or certificate of service.
8. Administrative Discharge Board. A fact-finding board consisting of at least three experienced commissioned officers, at least one of whom serves as a lieutenant commander or higher, and may include as non-voting recorder the legal counsel appointed to represent the Government.  [Article 12.B.31](#), and the Administrative Investigations Manual, COMDTINST M5830.1 (series).
9. Discharge Authority. As established here and implemented by regulations issued by an Armed Force, an official authorized to make a final decision on specified types of discharges.
10. Respondent. A Coast Guard member who has been notified the Service has initiated action to discharge him or her under a specified Service regulation.
11. Counsel. A lawyer within the meaning of Article 27(b)(1) of the Uniform Code of Military Justice unless appropriate authority certifies in the permanent record a lawyer so qualified is not available and describes the qualifications of the substituted non-lawyer counsel.
12. Continental United States. The United States less Alaska and Hawaii.
13. Characterization of Service for Administrative Separation. A determination reflecting a member's military behavior and performance of duty during a specific period of service. The three characterizations are: (1) honorable, (2) under honorable conditions, and (3) under other than honorable conditions.
14. Minority Group. A segment of the population possessing common traits transmissible by descent or common characteristics and a cultural heritage significantly different from that of the general population.
15. Entry Level Status. The first 180 days of continuous active duty.

12.B.2. Determining the Type of Discharge

12.B.2.a. Policy

The Service discharges members with the type and character of service as determined by the reason for discharge, military record, and certain other conditions set forth here.

12.B.2.b. Procedure

In determining a member's type of discharge and character of service under these conditions, if a commanding officer believes a member should be issued a higher or lower type of discharge, he or she should so recommend to Commander, (CGPC-epm-1). The commanding officer should support such recommendation with pertinent parts of the member's Personnel Data Record (PDR). When the member is transferring for discharge, the commanding officer should make such recommendation before transfer with a copy to the unit to which the member is transferring.

12.B.2.c. Types of Discharge

1. There are five types of discharge for characterized separations:
 - a. Honorable Discharge, DD Form 256 CG—Separation with honor.
 - b. General Discharge, DD Form 257 CG—Separation under honorable conditions.
 - c. Discharge Under Other Than Honorable Conditions, DD Form 794 CG—Separation under conditions other than honorable.
 - d. Bad Conduct Discharge, DD Form 259 CG—Separation under conditions other than honorable.
 - e. Dishonorable Discharge, DD Form 260 CG—Separation with dishonor.
2. An Uncharacterized Discharge applies when separation is without specific character. There is no certificate for this type discharge.

12.B.2.d. Reasons for Discharge

There are 14 formal reasons for discharge:

1. Enlistment expires.
2. Service obligation fulfilled.
3. Convenience of the Government.
4. Dependency or hardship.

5. Minority (age).
6. Disability.
7. Unsuitability.
8. Security.
9. Misconduct.
10. Court-martial sentence.
11. Entry-level separation (uncharacterized discharge).
12. For the good of the Service.
13. Homosexual conduct as defined in [☛ Chapter 12.E.](#)
14. Care of Newborn Children as defined in [☛ Chapter 12.F.](#)

12.B.2.e. Characterization of Service


Except as indicated below, the sole criterion on which the Coast Guard characterizes service in the current enlistment or period of service is the member's military record during that enlistment, period of service, or any term extension the law or the Commandant prescribes or the member consents to. In characterizing service, the following shall not be considered:

1. Previous service activities, including among others records of court-martial conviction, non-judicial punishment, absence without leave, or commission of other offenses for which punishment was not imposed.
2. Pre-service activities, except misrepresentations including omitting facts which if known would have precluded, postponed or otherwise affected the member's eligibility for enlistment.
3. Activities occurring under [☛ Article 12.B.20.](#) provisions.

12.B.2.f. Standards for Discharge

1. Honorable Discharge. A member's commanding officer or higher authority can effect a separation with an honorable discharge if the member is eligible for or subject to discharge and the member merits an honorable discharge under the standards prescribed here. Issuing an honorable discharge depends on:
 - a. The member is eligible for discharge for one of these reasons:
 - (1) Enlistment expires.
 - (2) Service obligation fulfilled.
 - (3) Convenience of the Government.

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- (4) Dependency or hardship.
 - (5) Minority (age).
 - (6) Unsuitability.
 - (7) Misconduct (except involvement with illegal drugs or obstructing drug urinalysis testing by tampering).
 - (8) The Commandant so directs.
- b. Proper military behavior and proficient performance of duty with due consideration for the member's age, length of service, grade, and general aptitude. The Service will not necessarily deny a member an honorable discharge solely for a specific number of courts-martial convictions or actions under Article 15, UCMJ during his or her current enlistment or obligated service.
- c. Through 30 June 1983, the member must have made a minimum final average of 2.7 in proficiency and 3.0 in conduct.
- d. After 30 June 1983, the member must have a minimum characteristic average of 2.5 in each factor over the period of the enlistment.  [Article 12.B.48.b.](#) contains directions for determining the final characteristic average.
- e. If a member meets the prescribed final minimum average for an honorable discharge in only one of the two marking systems (i.e., averages only 2.5 in proficiency and 2.8 in conduct through 30 June 1983, but is clearly above the prescribed final minimum averages for service after 30 June 1983, or vice versa), the commanding officer shall notify Commander, (CGPC-epm-1) by letter of the situation at the earliest possible date. The letter must include, as a minimum, the final averages for the individual's marks under both marking systems, and the commanding officer's definite recommendation of the type of discharge proposed in the case.
- f. Special Consideration. In any case in which a general discharge or a discharge under other than honorable conditions is warranted for one of the reasons set forth above, the Service may award the member an honorable or general discharge, as appropriate, under these conditions if the member:
- (1) During the current or previous enlistment, period of obligated service, or any voluntary or involuntary extensions he or she has earned a Medal of Honor, Distinguished Service Medal, Legion of Merit, Distinguished Flying Cross, Coast Guard Medal, Bronze Star Medal, Air Medal, Coast Guard Commendation Medal, Gold Life Saving Medal, Silver Life Saving Medal or any other Armed Forces award equivalent to any of these decorations. In each case, the member's military record shall be fully considered in connection with any action taken.

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- (2) Is discharged for a disability incurred in the line of duty and resulting from action against an enemy.
- (3) Is discharged while undergoing recruit training; the [☛ Article 12.B.2.f.](#) proficiency mark requirement shall be disregarded.
- (4) Received favorable action from Commander, (CGPC-epm-1) on a recommendation submitted under [☛ Article 12.B.2.b.](#)
- (5) If the particular circumstances in a given case warrant, the Commandant may direct issuing an honorable or general discharge in lieu of discharge under other than honorable conditions.

2. General Discharge. The member's commanding officer or higher authority may effect a separation with a general discharge if the member is subject to discharge and a general discharge is warranted under the standards prescribed in this paragraph. When a general discharge is issued for one of the reasons listed in [☛ Article 12.B.2.f.1.a.](#), the specific reason shall be stated in an entry on a Administrative Remarks, CG-3307, in the member's Personnel Data Record. A general discharge applies in these situations:

a. The member either:

- (1) Has been identified as a user, possessor, or distributor of illegal drugs or paraphernalia; or
- (2) Has tampered with drug urinalysis samples, supplies, or documentation;

However, the commanding officer may recommend a discharge under other than honorable conditions in severe circumstances, including among others, tampering with evidence in drug seizure cases or distributing drugs for profit, to other Coast Guard members or to minors. [☛ Articles 12.B.2.f.3. and 12.B.32.](#) for guidance and procedures.

b. The member is eligible for discharge for one of the reasons listed in [☛ Article 12.B.2.f.1.a.](#) and

- (1) The member's final average marks are less than those shown in [☛ Article 12.B.2.f.1.c.](#) and [☛ Article 12.B.2.f.1.d](#) for the respective periods, or
- (2) When based on the individual's overall military record or the severity of the incident(s) which results in discharge, Commander, (CGPC-epm-1) directs issuing a general discharge.

3. Discharge Under Other Than Honorable Conditions. The Service may issue a discharge under other than honorable conditions for misconduct, security reasons or good of the Service if an administrative discharge board approves a recommendation for such a discharge or the member waives his or her right to board action. Such a discharge will be issued in lieu of trial by court-martial only if the Commandant determines an administrative discharge will best serve the interests of both the Service and the member. ➡ [Article 12.B.2.f.1.c.](#)
4. Bad Conduct Discharge. A bad conduct discharge, separation from the Service “under conditions other than honorable,” may be issued only as a result of an approved sentence of a general or special court-martial.
5. Dishonorable Discharge. Separation from the Service under dishonorable conditions; a dishonorable discharge may be issued only as a result of an approved sentence of a general court-martial.
6. Uncharacterized Discharge. An uncharacterized discharge by its own connotation is separation without characterization of service. An uncharacterized discharge may be issued only if the provisions of ➡ [Article 12.B.20.](#) apply.

12.B.2.g. Reenlistment Codes

Each member discharged from the Service is assigned one of the following reenlistment codes, as appropriate. ➡ Certificate of Release or Discharge from Active Duty, DD Form 214, COMDTINST M1900.4 (series).

1. RE-1 Eligible for reenlistment.
2. RE-2 Ineligible for reenlistment due to retirement.
3. RE-3 Eligible for reenlistment except for a disqualifying factor. Assign the appropriate letter from COMDTINST M1900.4 (series); e.g., RE-3Y (unsatisfactory performance).
4. RE-4 Not eligible for reenlistment.

12.B.3. Explaining Discharge Types and Related Matters

Commanding officers periodically will explain to members the types of discharge certificates listed in ➡ [Article 12.B.2.](#), the basis for issuance, and the possible effects of various certificates on reenlistment, civilian employment, veterans’ benefits and related matters. At a minimum commanding officers shall do so each time they explain UCMJ articles under ➡ [Article 8.B.1.](#) Commanding officers shall

ensure an appropriate entry is made on a Administrative Remarks, CG-3307 and filed in each member's Personnel Data Record (PDR) as to the date this information was explained to the member.



12.B.4. Pre-Discharge Interview of Enlisted Members

12.B.4.a. General

In general, a member who meets ☞ Article 1.G.5. reenlistment standards is eligible to reenlist, unless the reason for discharge precludes reenlistment, such as physical disqualification, disability, unsuitability, misconduct, or an alien's failure to become a naturalized citizen, or if the commanding officer did not recommend him or her. Commanding officers should not refuse reenlistment to members who have demonstrated a potential for a successful, productive Coast Guard career. Commanding officers may assign members serving in the E-2 or E-1 pay grade at the end of their active duty term, the designation "Eligible for Reenlistment" (Reenlistment Code RE-1) provided these members are in all other respects eligible. Commanding officers should encourage members in pay grade E-3 to reenlist provided they meet ☞ Article 1.G.5. requirements. However, commanding officers should view members as poor risks if they have records of indebtedness or non-support or whose personal problems have resulted in hardship assignments longer than four months and therefore shall screen them carefully before considering them for reenlistment.



12.B.4.b. Initial Interview



1. Based on the member's record and the guidelines in ☞ Article 12.B.4.a., the commanding officer shall advise each member approximately six months before his or her enlistment expires whether he or she is eligible to reenlist. The commanding officer shall fully inform a member ineligible to reenlist of the reasons, assign him or her the proper code and, except for members ineligible for physical disqualification, process the member under ☞ Article 12.B.5. This approximate time frame for the initial pre-discharge interview is not a performance probationary period for members considered ineligible to reenlist but rather allows enough time to properly process a member for separation, extension, or reenlistment. Under ☞ Article 12.B.5.a., the commanding officer may conduct this interview in less than six months' time before the member's enlistment expires.

2. Members who meet the  Article 1.G.5. reenlistment criteria shall be assigned the Reenlistment Code RE-1, "Eligible for Reenlistment," and allowed to reenlist for a maximum of six years. The commanding officer may reenlist members assigned this code on board without reference to Commander (CGPC-epm-1).
3. Immediately after the required initial interview, a **command representative**, who has indicated **favorable** career intentions, shall interview each member eligible to reenlist to give him or her the opportunity to express his or her own desires about reenlistment intentions. During the interview, the **command representative** must inform each potential reenlistee eligible for a Selective Reenlistment Bonus (SRB) of that eligibility and the SRB program's monetary benefits (**See  Chapter 3.C.**). The **command representative** must discuss these subjects:
 - a. The SRB amount for which the potential reenlistee currently is eligible.
 - b. SRB flexibility and possible changes that might increase or decrease the bonus amount to which the member is entitled at reenlistment.
 - c. Any limiting factor that could negatively affect the SRB payment, such as rating conversion, etc.
 - d. The advantages of early reenlistment to obtain the present SRB amount compared to the uncertainty of future SRB payment.
 - e. Normal SRB payment method of equal annual installments or, if appropriate, possible payment in one lump sum.

12.B.4.c. Follow-Up Interviews



When a member eligible to reenlist indicates he or she will not do so, the commanding officer or executive officer will hold a follow-up interview with the member to:



1. Fully inform him or her of matters of interest to potential reenlistees, such as advantages of training, promotion, service schools, assignments, and retirement.
2. Advise the member  Article 1.G.3.b. provisions apply if he or she desires to reenlist other than on the day after discharge.
3. Advise a member serving in a foreign country who transferred for separation in lieu of reenlisting at his or her present unit ( Article 12.B.46.b.) that:
 - a. Reenlistment will not be effected after such transfer unless the member requests and receives such authority from Commander (CGPC-epm-1).

- b. If the member has dependents and subsequently reenlists, it is possible he or she may not be entitled to transportation of dependents and household goods at Government expense. Although entitled to transportation of dependents and household goods at separation, the member is not guaranteed reenlistment in a pay grade that carries this entitlement.
- c. The interviewer should advise a member who is a citizen of the Republic of the Philippines if transferred for separation under  [Article 12.B.47](#), and the member subsequently desires to reenlist, he or she will not be entitled to file for U.S. citizenship unless the reenlistment or extension actually takes place in the United States or its stated possessions (American Samoa, Swans Island, Guam, Puerto Rico, and the Virgin Islands.)
- d. If the member is eligible to reenlist but does not intend to reenlist in the Coast Guard at his or her present duty station, **they must complete an Electronic Assignment Data Card (E-ADC) six months prior to their date of separation indicating their intentions (i.e. discharge, RELAD) (Personnel, Pay and Procedures Manual, HRSIC1000.2A)**. If the member has a Selected Reserve obligation, **they must indicate their desire** for assignment to a Selected Reserve unit **or Individual Ready Reserve (IRR) on their E-ADC**. If the member does not have an obligation under 10 U.S.C. 651, the interviewer should encourage him or her to enlist in the Coast Guard Reserve. Commanding officers are authorized to enlist such members in accordance with the  **Coast Guard Recruiting Manual, COMDTINST M1100.2 (series), Article 3-F-6**.

12.B.4.d. Personnel Data Record Entries


Members **that have indicated indecision or a desire not to reenlist or extend** shall acknowledge the following information on CG-3307 to be filed in the member's Personnel Data Record.

- 1. The interview date.
- 2. The member's expressed intention **not to reenlist or extend their enlistment**.
- 3. The commanding officer's determination whether the member is eligible to reenlist (if not, include the reasons) and the reenlistment and separation codes being assigned. If a member is not eligible to reenlist even though the average marks for Proficiency, Leadership, and Conduct meet the requirement for honorable discharge through 30 June 1983, a full explanation shall be entered.
- 4. If the member is eligible to reenlist but is not doing so within 24 hours of discharge, his or her signed Statement of Understanding that to remain in a continuous Service status, he or she must reenlist within three months of the discharge date ( [Article 1.G.7](#)), but he or she may not be able to reenlist in the rate he or she held at discharge unless that rate is on the open rate list when the member reenlists.  [Article 1.G.3](#).

5. If the member is not eligible to reenlist, the interviewer informs the member of the reason for the determination and requires him or her to sign a statement on CG-3307 of the Personnel Data Record as having been so informed.  [Article 12.B.5.](#)
6. If the member is a citizen of the Republic of the Philippines, a statement concerning future intention to apply for U. S. citizenship.  [Article 12.B.4.c.3.](#)

12.B.5. Processing Procedures for Personnel Ineligible to Reenlist

12.B.5.a. Scope

If at the time of the initial pre-discharge interview conducted under  [Article 12.B.4.b.](#) or any time after a commanding officer determines an enlisted member is not eligible to reenlist, this Article's procedures apply.

12.B.5.b. Fewer than Eight Years' Service

Commanding officers must notify a member with fewer than eight years of total active and/or Reserve military service at the time of the interview of the reasons why he or she is ineligible to reenlist and that he or she may submit a written appeal through the chain of command to Commander, (CGPC-epm-1) within 15 days of notification. The command shall furnish clerical assistance in preparing this appeal. The member must sign a statement on an Administrative Remarks, CG-3307, in his or her PDR acknowledging this notification.

12.B.5.c. More than Eight Years' Service

Commanding officers must notify a member with eight or more years of total active and/or Reserve military service at the time of the interview of the ineligibility determination. The member must sign a statement on a Administrative Remarks, CG-3307, in his or her PDR acknowledging this notification. The notice shall include this information:

1. The basis for the determination.
2. The member has the right to present the case and appear in person before a reenlistment board.
3. The member has the right to be represented by counsel.
4. The member may waive these rights in writing; however, he or she may do so only after legally qualified counsel has fully counseled the member on the matter. If the member then waives the right to a hearing before a board, he or she must submit a signed statement in this general format:

From:	
To:	Commander, (CGPC-epm-1)
Via:	
Subj:	WAIVER OF HEARING
<p>1. My commanding officer has advised me he/she does not consider me eligible to reenlist, the reasons for this decision, and that a person ineligible to reenlist may not reenlist. He/she also advised me that unless I waive such rights in writing:</p> <ul style="list-style-type: none">a. A board of at least three officers will hear my case.b. I may appear in person before such board.c. I may be represented by counsel.	
<p>2. I hereby waive my right to a hearing before a board. I <u>*(am) (am not)</u> submitting a statement in my own behalf.</p>	
<p>3. I voluntarily sign this statement of my own free will after having been counseled by legally qualified counsel who has been provided to assist me. I have retained a copy of this statement.</p>	
<p>_____</p> <p>(Signature of Individual)</p>	
<p>_____</p> <p>(Signature and Grade of Legally Qualified Counsel)</p>	
<p>_____</p> <p>(Signature and Grade of Witness)</p>	
<p>*Use only words which apply.</p>	

12.B.5.d. Appellant Procedures

On receiving an appeal, Commander, (CGPC) may direct that a particular appellant with fewer than eight years' total active and/or Reserve military service will be afforded the same rights to a board hearing as a member with eight or more years of such service possesses. Further, Commander, CGPC may reject a particular member's waiver of rights and direct a board to hear the case. The board convenes under the Administrative Investigations Manual, COMDTINST M5830.1 (series); the board members and procedures are the same as for Administrative Discharge Boards in [Article 12.B.31](#). The board renders findings about the member's eligibility to reenlist or can specify a probationary enlistment extension for any period up to one year.

12.B.5.e. Documentation

When board action is required, the convening authority furnishes the president of the board with the respondent's PDR and the commanding officer's comments and recommendations. However, if the commanding officer recommending denial of reenlistment also functions as the convening authority, he or she shall not furnish any comments or recommendations. A convening authority shall not appear before a board he or she convenes. When the commanding officer and convening authority are one and the same, the documents are limited to:

1. Summary of military offenses.
2. Civil convictions.
3. If submitted, the member's signed statement on his or her own behalf.
4. A copy of the closed-out Form CG-3306 dated 30 June 1983 showing average Proficiency, Leadership, and Conduct marks and a copy of the current CG-3306 showing factor marks.

12.B.5.f. Probation Extension

If the board recommends probationary enlistment extension, these guidelines apply:

1. The board shall propose the probation's length and terms, which should address the particular deficiencies that have led to recommended denial of reenlistment and provide the respondent with clear, specific standards of performance and conduct expected during the probation.
2. On receiving the reenlistment board's report, the commanding officer or convening authority may offer the respondent an opportunity to begin voluntary evaluation under the recommended probation terms if the commanding officer deems such action appropriate. He or she should inform the respondent that failure to begin evaluation under the probation terms will not affect how the final reviewing authority considers the case, but sincere, successful, voluntary compliance could favorably affect consideration. The commanding officer also should inform the respondent voluntary evaluation while on probation is not binding on Commander, (CGPC-c) as Final Reviewing Authority.
3. If the commanding officer agrees to begin a respondent's requested evaluation under recommended probationary terms, he or she shall inform the respondent of the precise terms of probation on a Administrative Remarks, CG-3307, in the respondent's PDR. The respondent acknowledges them in writing at the end of this mandatory statement:

I hereby agree to comply with terms of probation as set forth above the reenlistment board recommended in my case. I realize the convening authority and reviewing authorities will not consider my compliance with these probationary terms binding on the action they take on my reenlistment board and the Commandant as Final Reviewing Authority may cancel, amend, or extend these probationary terms.

4. When a commanding officer agrees to implement a respondent's evaluation under probationary terms recommended by a reenlistment board, he or she sends a letter report of that action to Commander, (CGPC-epm-1) independent of his or her endorsement to the reenlistment board's report. The letter report shall state the terms of probation as implemented and indicate whether the respondent's transfer for evaluation is warranted or desirable.
5. The commanding officer under whom the respondent is serving a probationary extension will evaluate his or her performance of the probation terms every 30 days and enter the respondent's progress on a Administrative Remarks, CG-3307, in his or her PDR. Until Commander, (CGPC-c) publishes the Action of the Final Reviewing Authority on the Reenlistment Board at the end of each 90-day period of the probation or sooner if necessary, the commanding officer will send Commander, (CGPC-adm-2) a synopsis of the respondent's performance.

12.B.5.g. Deadlines

When practical, a board shall convene early enough so Commander, (CGPC-adm-2) can receive the completed report and one copy at least 120 days before the enlistment expires. When a member entitled to a board hearing waives this right, the documents specified in [☞ Article 12.B.5.e.](#) plus the member's signed waiver of rights in the format prescribed in [☞ Article 12.B.5.c.](#) shall be submitted to Commander, (CGPC-adm-2) 60 days before the member's enlistment expires or as soon thereafter as practical.

12.B.5.h. Pending Notice

Members awaiting action of the Final Reviewing Authority shall be retained until Commander, (CGPC-epm-1) advises the commanding officer of the Final Reviewing Authority's action.

12.B.5.i. Coast Guard Personnel Command's Final Action

In acting on a reenlistment board's recommendation, Commander, (CGPC-c) as Final Reviewing Authority will take action similar to that provided for in the case of administrative discharge boards in [☞ Article 12.B.31.d.](#)

12.B.6. Physical Examination Before Separation

12.B.6.a. Applicability

Before retirement, involuntary separation, or release from active duty (RELAD) into the Ready Reserve (selected drilling or IRR), every enlisted member, except those discharged or retired for physical or mental disability, shall be given a complete physical examination in accordance with the [☞ Medical Manual, COMDTINST M6000.1 \(series\).](#) Other members separating from the Coast Guard; e.g., discharge or transfer to standby reserve (non-drilling) may request a medical and dental screening. The examination results shall be recorded on Standard Form 88. To allow additional time to process enlisted members being discharged for enlistment expiration or being released from active duty, the physical examination shall be given at least six months before separation from active duty. All physical examinations for separations are good for 12 months. If the member is discharged

for immediate reenlistment, the physical examination is not required. However, before discharge for immediate reenlistment, the commanding officer shall review the member's health record and require him or her to undergo a physical examination if evidence in the record or personal knowledge indicates a potential health problem.

12.B.6.b. Physically Qualified for Separation

When the physical examination is completed and the member is found physically qualified for separation, the member will be advised and required to sign a statement on the reverse side of the Chronological Record of Service, CG-4057, agreeing or disagreeing with the findings. When the member agrees he or she is physically qualified for separation, the original of Standard Form 88 shall be sent to Commander, (CGPC-adm) along with the terminated health record.

12.B.6.c. Objections to Findings

If a member objects to a finding of physically qualified for separation, the Standard Form 88 together with the member's written objections shall be sent immediately to Commander, (CGPC-epm-1) for review. If necessary the member may remain in service beyond the enlistment expiration date under [☞ Article 12.B.11.i.](#) authority. However, completing the CG-4057 as soon as possible after the physical should preclude the need for this enlistment extension.

12.B.6.d. Disqualifying Conditions

When the examination for separation finds disqualifying physical or mental impairments, use the following procedures:

1. If the member desires to reenlist and the physical or mental impairment is permanent, send Standard Form 88 directly to Commander, (CGPC-epm-1), with a request for waiver or such other recommendations as are indicated.
2. If the member desires to reenlist and the physical or mental impairment is temporary, the necessary treatment shall be provided and the member remains in service under [☞ Article 12.B.11.f.](#)
3. If the member does not desire to reenlist or is being discharged for reasons other than enlistment expiration and the physical or mental impairment is permanent, a medical board is convened under [☞ Chapter 17](#) and the member remains in service under [☞ Article 12.B.11.i.](#)
4. If the member does not desire to reenlist or is being discharged for other than enlistment expiration and the disability is temporary, the member may consent to remain in service under [☞ Article 12.B.11.f.](#) so necessary treatment may be given and a medical board convened if indicated. If the member does not consent to remain in the Service, a medical board is convened under [☞ Chapter 17](#) and the member remains in service under [☞ Article 12.B.11.i.](#)


12.B.7. Enlisted Members' Early Separation

12.B.7.a. General

Under certain circumstances enlisted members may be separated before their normal enlistment expiration date provided such early departure is in the Government's best interest. In determining the eligibility date for early separation, consideration must be given to any deductible time that changes the normal enlistment expiration date, enlistment extension, period of obligated active duty, or obligated service. Early separation under this Article does not deprive a member of any right, privilege, or benefit to which otherwise entitled, except pay, allowances, and credit for service for any unexpired period not served. The member is entitled to a travel allowance and lump sum payment for leave and does not have to pay back a pro-rated portion of any reenlistment bonus he or she previously received.


12.B.7.b. Early Separation


Commanding officers are authorized to separate members three or fewer months before the normal separation date without referring to Coast Guard Personnel Command in these circumstances. Refer other cases in which such early separation appears warranted to Commander, (CGPC-epm-1).

1. When a cutter or mobile command is about to depart with the probability it will not return to the United States before the member's enlistment or period of obligated active duty expires.
2. When a cutter or mobile command is about to depart and the travel allowance then due the member is materially less than it would be if he or she separated in the port where the cutter is expected to be on the normal separation date.
3. When a member serving outside CONUS declines to reenlist, he or she may be:
 - a. Separated on first reporting to a unit in CONUS on debarkation, or
 - b. Separated on reporting to a district office in CONUS for further assignment to duty in that district, or
 - c. Separated at the overseas duty station effective not earlier than the date of his or her scheduled rotation date when serving in other than a foreign country and if transfer to CONUS is not otherwise indicated.  [Article 12.B.46](#).
4. When a member requests in writing a discharge so he or she can reenlist immediately, except for a member who:
 - a. Has received notice of selection for appointment to warrant or commissioned grade.
 - b. Has been selected for or is enrolled in any military service's Officer Candidate School.
 - c. Is in transit pursuant to permanent change of station orders.
 - d. Has requested or received authorization for retirement.


5. Serves outside CONUS and indicates he or she intends to reenlist immediately on board in lieu of transfer for separation. Commanding officers shall effect early separation for immediate reenlistment on or about the date the member normally would transfer for separation.

12.B.7.c. Early Separation Procedures

Use these procedures in the cases of members released early from active duty under this Article and  [Article 12.B.8.](#)




1. An active duty member with a Reserve obligation under 10 U.S.C. 651 released from active duty under this Article will receive a CG Reserve Assignment Request and Orders, CG-5525, in the 4th month before separation. The member will complete the CG-5525 and send it to the district commander (r) of the district where the member will reside after separation. If the member has a Selected Reserve obligation, he or she must request assignment to a Selected Reserve unit. The CG-5525 should be processed to reach the member's PERSRU before his or her early separation date. Commanding officers should encourage a member who does not have an obligation under 10 U.S.C. 651 to immediately enlist in the Coast Guard Reserve to continue his or her service. Commanding officers can effect such enlistments under the  **Coast Guard** Recruiting Manual, COMDTINST M1100.2 (series), Article 3-F-6.
2. A Reserve member with or without a remaining obligation will receive a Coast Guard Reserve Assignment and Orders, CG-5525, in the fourth month before separation. The member completes and sends the CG-5525 to the district commander (r) of the district where the member will reside after separation. The CG-5525 should be processed to reach the member's PERSRU before his or her early separation date. The member remains in the Ready Reserve on inactive duty until he or she completes his or her obligation or enlistment expires, if applicable.

12.B.7.d. Voluntary Separation Procedures for Members Serving on an Indefinite Reenlistment Contract

Subject to the provision of 14 U.S.C. 357, an active duty member serving on an indefinite reenlistment under  [Article 1.G.6.](#), may be separated at the discretion of Commander, (CGPC-epm). The actual separation of these members will be based on the overall needs of the Service. The provisions listed below generally apply; however, needs of the Service may impact the actual separation date.

1. An enlisted member may only submit a request for voluntary separation to Commander, (CGPC-epm), if the member:
 - a. Will have completed all obligated service requirements for promotion or advanced training before the separation date, and
 - b. Requests an effective date of separation that provides:
 - (1) Completing at least one year of duty at current duty station as of the requested separation date if assigned INCONUS.
 - (2) Completing the prescribed tour length or at least two years, whichever is less, as of the requested separation date if assigned OUTCONUS.

COAST GUARD PERSONNEL MANUAL CHAPTER 12.B.

2. If a member, who satisfies the conditions in  Article 12.B.7.d.1., has received PCS orders, and wishes to voluntarily separate in lieu of executing orders, he or she must so advise Commander (CGPC-epm) by message within **15** days of receiving the PCS orders and simultaneously send a request to separate on an effective date within three months of receiving PCS orders. Commander (CGPC-epm) will consider such requests based on the overall Service needs. Commander (CGPC-epm) will not normally accept a request to cancel a voluntary separation so scheduled except to allow for disability processing, or Service need.
3. If a member's commanding officer determines that a request for separation is warranted even though it does not meet the conditions in  Article 12.B.7.d.1., the member should send the request and full supporting information pertaining to it to Commander (CGPC-epm), through the chain of command, for consideration. Such a request will be approved only in those rare instances when in the judgement of Commander (CGPC-epm), departing from subparagraph 1's normal rules, is justified. If the request is disapproved, Commander (CGPC-epm) will indicate when the member may resubmit a separation request. Commander (CGPC-epm) will cancel a request approved under this paragraph only to allow for disability processing, or Service need, subject to the provisions in  Article 12.B.7.d.
4. Submit separation requests to Commander (CGPC-epm) not more than one year or less than six months before the desired separation date. They will be acknowledged by either approval or disapproval. Include the following statements in all requests:

From: Member

To: Commander, Coast Guard Personnel Command (CGPC-epm)

Thru: Commanding Officer, [Unit]

Subj: VOLUNTARY SEPARATION REQUEST

Ref: (a) Personnel Manual, COMDTINST M1000.6(series), Article 12.B.7.d.


1. I request separation on the first day of [month, year], or as soon thereafter as feasible.


2. I intend to separate to [city, state, zip code].

3. I am/am not presently on the effective headquarters advancement authorization list for advancement to the next higher paygrade.



4. I further understand that if I request to cancel this separation, Commander, (CGPC-epm) will consider this request to allow for disability processing, or Service need. If such cancellation is approved for Service need, I understand that I will be required to remain on active duty for a minimum of two years from the day of approval of my request, or until I reach my HYT PGP for my present paygrade, if less than two years.

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5. The request must include the zip code of the intended travel destination for cost estimating purposes only; it is not binding, nor does it affect the member's right to travel to their place of enlistment or home of record up to six months after the separation date. See  Joint Federal Travel Regulations, **U5125**.

6. Area, district, maintenance and logistics, and unit commanding officers will include the following comments in endorsements to all separation requests:
 - a. Specific approval or disapproval of the basic request; if disapproval, the full reason for disapproval.
 - b. Whether the member meets the requirements listed in  Article 12.B.7.d.


12.B.7.e. Scheduling Voluntary Separations

1. The decision to submit a voluntary separation letter has significant impact because the projected separation triggers transfer and advancement actions that, if reversed, cause hardship to other members. Therefore, Commander (CGPC-epm) normally will not honor a request to cancel or delay an already approved voluntary separation date. **However, a request may be approved if the following conditions exist:**
 - a. To allow for disability processing; or
 - b. A specific Service need exists; or
 - c. A member has a hardship situation similar or equivalent to those listed in  Article 12.D.2. The Service does not consider a change in civilian employment plans a hardship; or
 - d. The separation physical examination finds the member “not fit for separation” and the member does not request in writing to cancel the physical disability processing.
2. When a request to cancel a scheduled separation is based on a Service need, the member must remain on active duty for at least two years from the date the request is approved, or up to the HYT PGP for **his/her** present paygrade, if less than two years.  Article 12.G.7.
3. Requests to cancel or delay a scheduled voluntary separation should normally be submitted at least three months before the approved separation date. Requests must be submitted through the member’s chain of command and clearly state the reasons for such cancellation **as well as a statement acknowledging that the member understands that he/she will be required to complete a minimum of two (2) years active duty from the date of cancellation of the voluntary separation request.**


12.B.8. Releasing Enlisted Members Early to Pursue Their Education

12.B.8.a General


1. Commanding officers may authorize release up to 30 days early for a member with a unique schooling or career opportunity he or she would lose if released on his or her normal enlistment expiration. The Coast Guard Personnel Command will not waive the 30-day limit on this authority. Members must combine all remaining earned leave and separation, the two totaling a maximum of 90 days.

2. Commanding officers should consider early releases only for those who perform effectively and honorably during their present enlistment. Therefore, the commanding officer will review the member's performance evaluations. Marks awarded through 30 June 1983 must average at least 3.3 in proficiency and 3.9 in conduct. This requirement will not be waived. For marks awarded after 30 June 1983, the member must meet the standards for an honorable discharge as described in  Article 12.B.2.f.
3. Commanding officers should expect relief for members granted early release to arrive no earlier than if the members were released at their normal expiration of enlistment.
4. If anticipating early release, advise Commander (CGPC-epm) by message as early as possible of member's name, rate, social security number, and anticipated release date.

12.B.8.b. Procedures

Use the procedures described in  Article 12.B.7.c. for members released early from active duty under this Article.

12.B.8.c. Recouping Reenlistment and/or Career Status Bonus

A member separating under this Article and paid a bonus for his or her current enlistment must refund **the unearned** portion of the bonus in accordance with the  U.S. Coast Guard Pay Manual, COMDTINST, M7220.29 (series) and Personnel and Pay Procedures Manual, HRSICINST M1000.2 (series).


12.B.9. Processing Unsatisfactory Performers

12.B.9.a. Policy

The Coast Guard can afford to retain only those members who better the organization as a whole. Occasionally members do not contribute to supporting the Coast Guard's missions. By their unsatisfactory or disruptive performance, they prevent or obstruct other Service members' responsible actions in meeting their obligations. Individuals whose performance demonstrates they cannot or will not contribute to supporting the Coast Guard's missions **may** be discharged under this Article's procedures. In many cases, promptly applying proper leadership can and will turn an unsatisfactory performer into a contributing Service member. The value of positive task direction and recommendations for improving performance at any time by any member to a subordinate cannot be over-emphasized. However, in some cases all leadership avenues and disciplinary action are no longer effective and the member's association with the Coast Guard must terminate. This Article does not supersede more appropriate administrative action specified elsewhere in this Article or medical administrative procedures. Final discharge authority rests with the applicable district commander, maintenance and logistics commander, Superintendent, Coast Guard Academy, or Commandant (G-WP) for other Headquarters units.


12.B.9.b. Scope

This Article applies to all enlisted active duty members who meet the following criteria:


1. The member must not be undergoing medical treatment or physical disability processing.
2. The member must be assigned to the current unit for at least 180 days.
3. The member must not be undergoing or eligible for more appropriate processing specified elsewhere in  Chapter 12.B.

12.B.9.c. Separation Criteria

To discharge a member as an unsatisfactory performer, commanding officers must clearly show the member has been given the proper direction to improve his or her performance and adequate time to demonstrate he or she could become a productive Service member. In all cases, use the enlisted performance appraisal system in effect to identify the unsatisfactory performer for this Article's purposes. However, the unsatisfactory performance pattern, the appraisal marks described must be supported by thorough documentation, including copies of Administrative Remarks, disciplinary action, and any other attempted corrective or training action. Unsatisfactory performers generally can be identified by one or more of the following traits:

1. Through 30 June 1983, proficiency or leadership marks have averaged a maximum of 3.2 or conduct marks 3.8 for the previous 18 months. However, commanding officers may consider members who have between 12 and 18 months' service for discharge under this Article if it is unrealistic to expect any future performance will raise the deficient mark to an average higher than specified above.
2. After 30 June 1983, the member must meet the standards for an honorable discharge as described in  Article 12.B.2.f.

12.B.9.d. Procedures to Notify Unsatisfactory Performers

1. Commanding officers must notify in writing a member whose performance record (12 months preferred in most cases, but at least six months for extremely poor performers) is such that he or she may be eligible for discharge under this Article and that his or her unsatisfactory performance may result in discharge if that performance trend continues for the next six months. The official notice will be in letter form using the example below.
2. Members discharged for unsatisfactory performance are assigned one of the following applicable reenlistment codes.  Article 12.B.9.c. for either case.
 - a. RE-4 (not eligible to reenlist). The member's unsatisfactory performance is due primarily due to personal conduct.
 - b. RE-3Y (unsatisfactory performance). The member's overall performance of duty is the reason for discharge, and the commanding officer determines the member may be eligible to reenlist at later date.

From: Commanding Officer, (Unit)
To: (Individual concerned)
Subj: UNSATISFACTORY PERFORMANCE
Ref: (a) Personnel Manual, COMDTINST M1000.6 (series), Article 12.B.9.

1. This is to inform you that for the previous (number) months, your performance has been unsatisfactory compared to your peers in your pay grade. You are considered to be on performance probation. You must take stock of your actions that have caused this situation to develop and take corrective action. Your performance must improve over the next six months, or you will be considered for discharge.

2. The reasons for being placed on performance probation are: (state specific facts, incidents, unheeded corrective performance guidance, and any other documentation which supports the unsatisfactory performance evaluation(s)).

12.B.9.e. Discharge Processing

1. Notification Procedures. After the commanding officer notifies a member of unsatisfactory performance and closely observes the member (in most cases for six months), if he or she has not substantially improved his or her performance, the commanding officer will notify him or her in writing of the proposed discharge action. The official notification will be in letter form using the following example:

From: Commanding Officer, (Unit)
To: (Individual concerned)
Subj: DISCHARGE
Ref: (a) Personnel Manual, COMDTINST M1000.6 (series), Article 12.B.9.

1. This is to inform you I have initiated action to discharge you from the U.S. Coast Guard pursuant to the provisions of reference (a). Your performance marks for this enlistment support a [an] [honorable/general] discharge. The reasons for my action are: [State specific facts and incidents which caused the recommendation. Include dates and circumstances of contributory events, including (if applicable) non-judicial punishment and courts-martial; evaluate the member's potential to advance and satisfactorily complete enlistment.]

2. The decision on your discharge and the type of discharge you will receive rest with the [District Commander, Superintendent Coast Guard Academy, Maintenance and Logistics Command, or Commander, (CGPC-epm-1)]. * If you are awarded a general discharge, you may expect to encounter prejudice in civilian life.

*(Eliminate if performance marks entitle the member to an honorable discharge.)

(a) You may submit a statement on your behalf.

(b) You may disagree with my recommendation; if so, your rebuttal will be forwarded with my recommendation.

(c) You have the right to present your case and appear in person before an administrative discharge board. [Omit for members with fewer than eight years Regular or Reserve service.]

2. Acknowledgment. A member notified of a recommendation for discharge under this Article must indicate he or she understands his or her rights by completing this endorsement. The member may include a personal statement on his or her behalf in this response. The member must submit a signed acknowledgment using the following format.


FIRST ENDORSEMENT on

From: [Individual concerned]


To: Commanding Officer, [Unit]

Subj: DISCHARGE

1. I hereby acknowledge notification of my proposed discharge.
2. I [waive my right to submit/have attached] a statement in my behalf.
3. * I understand if I receive a general discharge under honorable conditions I may expect to encounter prejudice in civilian life.

*(Necessary only if  Article 12.B.2.f. indicates a general discharge.)

4. **I hereby acknowledge I have been provided the opportunity to consult with [insert name], a lawyer.

******(Necessary only if  Article 12.B.2.f. indicates a general discharge.)

5. I [object/do not object] to discharge from the U.S. Coast Guard.

[Signature of individual]

3. Right to Counsel. Commanding officers shall give any individual recommended for discharge under this Article whose performance evaluations indicate the possibility of receiving a general discharge the opportunity to consult with a military lawyer for an explanation of rights before sending the discharge recommendation to the District Commander, Superintendent, Coast Guard Academy, Maintenance and Logistics Command, or Commander, (CGPC-epm-1). The member may consult a civilian counsel of choice at his or her own expense.
4. Submitting Recommendation. Submit each recommendation for discharge under this article to the District Commander, Superintendent, Coast Guard Academy, Commander, Maintenance and Logistics Command, or Commander, (CGPC-epm-1) and include:
 - a. A statement of all the circumstances of the case.
 - b. A signed copy of the notification letter.
 - c. The member's signed acknowledgment.

- d. A copy of the closed-out form CG-3306 dated 30 June 1983 showing average Proficiency, Leadership, and Conduct marks and a copy of the current form CG-3306 showing factor marks.
 - e. Summary of military offenses.
5. Discharge Authority. An honorable or general discharge shall be issued under [☛ Article 12.B.2.](#) to a member discharged under this Article. Members in Class "A" School immediately following recruit training who are separated under this Article receive an honorable discharge.

12.B.9.f. Surrender of Uniform

The member must surrender his or her uniform. [☛ Article 12.B.53.d.](#)

12.B.10. Transfers at Time of Sailing


If a member is transferred ashore at time of sailing for misconduct, pending disciplinary action, or inability to make deployment for medical reasons and action for separation as indicated, the commanding officer of the unit initiating the transfer must send all available data on the member, including his or her recommendation and full documentation for separation, to the PERSRU to help avoid discharge processing delays.

12.B.11. Expiration of Enlistment

12.B.11.a. General

Unless a member voluntarily or involuntarily remains beyond the normal enlistment expiration date as provided in this Article or by other instructions the Commandant issues, a member shall be discharged or released from active duty and transferred to the Reserve to fulfill any remaining service obligation on the day before the applicable enlistment anniversary date. [☛ Article 12.B.7.](#) for conditions allowing early separation within three months of the date service normally expires. A member who has declined to reenlist on the day after discharge shall not be discharged in a foreign country except when Commander, (CGPC-epm-1) specifically authorizes or as authorized by [☛ Article 12.B.46.a.](#) Members whose normal enlistment expiration date falls on Friday, Saturday, Sunday, or a holiday shall not be separated more than seven days before the normal separation date.

12.B.11.b. Making up Lost Time

An enlisted Coast Guard member absent from duty due to the causes listed below for more than one day on return to full duty is obligated to serve for any period necessary to complete a full term of enlistment or obligated service. This does not preclude the member recommended for reenlistment from separating early for immediate reenlistment under  [Article 12.B.7.](#)



1. Desertion, or
2. Absence without proper authority, including the civil arrest situations outlined in the Pay Manual, COMDTINST M7220.29 (series), or
3. Confinement under sentence which has become final, or
4. Confinement while awaiting trial and disposition of the member's case, and whose conviction has become final, or
5. Intemperate use of drugs or alcoholic liquor or disease or injury resulting from the member's own misconduct.

12.B.11.c. Extending Enlistment in Time of War or National Emergency

The Secretary may extend all Coast Guard members' enlistments during time of war or national emergency.

12.B.11.d. Cutter at Sea

No member will separate from a cutter at sea. Except as otherwise provided in this paragraph, a member whose enlistment expires shall remain in the Coast Guard until the cutter on which the member serves first arrives at its permanent station or a port in a state of the United States or the District of Columbia (14 U.S.C. 367(a)(1)).

1. The member may voluntarily extend enlistment. Commanding officers are hereby authorized under  Article 1.G.31.a. to accept one voluntary enlistment extension for any number of full months.
2. Subject to such restrictions as higher command imposes, a cutter's commanding officer may discharge fully qualified members so they can reenlist immediately while the cutter serves at sea. As provided in  [Article 12.B.7.b.](#), commanding officers may effect the discharge any time within three months before the normal enlistment expires up to the normal expiration of enlistment.

3. A member serving on a cutter in foreign waters on the date his or her enlistment or extension expires who declines to reenlist and does not voluntarily extend the enlistment under Item 1. above remains in the Coast Guard until the cutter returns to a port in the CONUS or the member transfers there to separate. If the cutter's commanding officer certifies and the cognizant superior command ashore concurs retaining the member is essential to the public interest, the member is entitled to an increase of 25 percent in basic pay for the retention period. 10 U.S.C. 5540 and 14 U.S.C. 367. If a member remains beyond enlistment expiration for lack of transportation, because his or her continued service is merely desirable, or he or she derives some benefit from continued service, opposed to retention because such services are essential to the public interest, the member is not entitled to the 25 percent increase in basic pay. A member so retained shall separate at the earliest possible date after arrival in the CONUS and in any case within 30 days after arrival. 10 U.S.C. 5540 excludes members retained beyond enlistment expiration at shore stations; on cutters on duty in waters in or around United States possessions and territories or in ports or waters within U.S. sovereign jurisdiction; and Reserve members retained on active duty beyond the expiration of their period of active duty, distinguished from the normal date enlistment expires. The member must execute the signed statement required by Article 12.B.46.b. The Personnel and Pay Procedures Manual, PPCINST M1000.2 (series), contains procedures for entering Form CG-3312A in the member's PDR to document whether the retention was essential to the public interest and the cutter's location when enlistment expired. The Pay Manual, COMDTINST M7220.29 (series), contains instructions governing payment of the 25 percent addition to basic pay.

12.B.11.e. Attached to Shore Station Outside CONUS

A member attached to a shore station in a foreign country on the date his or her enlistment or extension expires may be detained in service up to three months:

1. If not immediately reenlisting, until first arrival at a port where separation can be effected. Article 12.B.46.b.; or
2. If immediately reenlisting, until reenlistment can be effected at current station; or
3. If not immediately reenlisting and requests separation in the area where serving under Article 12.B.46.a. provisions, until separation can be effected.

12.B.11.f. Undergoing Medical Treatment or Hospitalization

1. Incident to Service.

- a. An active duty member whose enlistment expires while he or she suffers from a disease or injury incident to service and not due to his or her own misconduct and who needs medical care or hospitalization may remain in the Service after the normal enlistment expiration date with his or her consent, which should be in writing and signed by the ill member on Form CG-3312A in his or her PDR. ☛ Personnel and Pay Procedures Manual, PPCINST M1000.2 (series). He or she may remain until recovered to the point he or she meets the physical requirements for separation or reenlistment or a medical board ascertains the disease or injury is of a character that prevents recovery to such an extent. Tacit consent may be assumed if mental or physical incapacity prevents informed consent. A member in this category ordinarily will remain up to six months after the enlistment expiration date; however, the Commandant may authorize further retention on proper recommendation accompanied by the supporting facts. ☛ 14 U.S.C. 366 and [Article 12.B.6](#).

- b. If the member desires separation, it shall be effected, provided the member signs this entry on an Administrative Remarks, CG-3307, in the PDR, witnessed by an officer, when examined for separation:

I, [Member's name] , desire to be separated from the Coast Guard on my normal expiration of active obligated service date. I understand I will not be eligible for further follow-up studies or treatment at a U.S. Uniformed Services medical facility or disability benefits under laws the Coast Guard administers, and any further treatment or benefits would be under the Veterans' Administration's jurisdiction.

- c. An untimely separation of a member subject to a physical evaluation board proceeding may prejudice the case because the law requires making necessary physical disability determinations while the member is entitled to receive basic pay except for members on duty 30 or fewer days. ☛ 10 U.S.C. 1204. Commanding officers should explain this to any member whose enlistment or term of active service is about to expire and requests discharge or release from active duty before the board so determines. If the member does not withdraw the request following such explanation, the statement below shall be entered in the member's PDR on an Administrative Remarks, CG-3307. The member signs this statement and an officer witnesses it.

I, [Member's name], desire to separate from the Coast Guard despite the fact separation may prejudice any rights or benefits to which I may be entitled as a result of physical evaluation board hearings under 10 U.S.C. 61. I have been duly advised of my rights in this matter and request the Coast Guard to discharge me as soon as possible without further hearing and without disability, retirement, or severance pay and without any compensation whatsoever. I understand I am not required and am under no obligation to give this statement and I hereby certify I give this statement voluntarily.

- d. No member shall separate until the Commandant has taken final action on any pending Physical Disability Evaluation System (PDES) board, unless the member desires separation and meets the provisions of subparagraphs b. or c.
2. Disability Not in Line of Duty or Misconduct. A member undergoing hospitalization for injury, sickness, or disease not incurred in the line of duty or due to his or her own misconduct will not be detained under subparagraph 1. provisions. Unless the enlistment is extended by some other provisions of law or instructions, a medical board should be held on a member in this status sufficiently early to permit the Commandant to act on a recommendation for disposition before the enlistment expires. ➡ [Article 12.B.6.](#)
3. Disability Due to Misconduct. If a member is undergoing hospitalization for injury, sickness, or disease due to his or her own misconduct, his or her enlistment automatically is extended by such lost time; ➡ [Article 12.B.11.b.](#) A medical board should be held on members in this status sufficiently early to permit the Commandant to act before the normal enlistment expiration date if the member were not in a misconduct status.

12.B.11.g. Serving as Temporary Commissioned Officer

Enlistments are extended automatically for members whose normal enlistment expiration date occurs while they are serving as temporary commissioned officers.

12.B.11.h. Awaiting or Undergoing Court-Martial Trial and Punishment

1. Unless the Commandant directs otherwise, a member awaiting trial by court-martial will be held for trial beyond the normal enlistment expiration date. If convicted, the member will be held as provided below:
 - a. Members whose summary or special court-martial sentence does not include a bad conduct discharge will be held until they serve any sentence to confinement or in any event until the supervisory authority completes final action and disposes of the case.

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- b. Members whose general court-martial sentence does not include a punitive discharge will be held until they have completed any sentence to confinement, and in any event until the convening authority has completed action.
 - c. Members whose special or general court-martial sentence does contain a punitive discharge will be held until the appellate review process is complete and the Commandant approves or disapproves the sentence, as provided in the Military Justice Manual, COMDTINST M5810.1 (series). Complete form CG-3312A in accordance with the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).
- 2. Request instructions from the Commandant sufficiently in advance to permit receiving a reply by the normal eligible date for separation if:
 - a. The supervisory authority has not completed final action, or
 - b. A probationary term would extend beyond normal enlistment expiration, or
 - c. The member has not served out an approved sentence involving forfeiture of pay, deprivation of liberty, or extra duties.
- 3. A member serving out an approved sentence of confinement will be held beyond the expiration of term of service to serve out the punishment imposed.

12.B.11.i. Retention When Essential to Public Interest

Commanding officers may detain a member in service beyond the enlistment term for up to 30 days when the member's service is essential to the public interest, in the circumstances below. Complete form CG-3312A in accordance with the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

- 1. The member is required as a witness in a proceeding pending when enlistment normally expires. Hold the member in an extended enlistment status until the proceeding has been completed.
- 2. The member's records and accounts have not been received when the enlistment normally would expire. Hold the member in an extended enlistment status pending receipt of such records.
- 3. If the pre-separation physical examination finds a disqualifying physical or mental defects.
- 4. The member is performing flood, hurricane, or any other emergency duty when enlistment expires.

12.B.11.j. Awaiting Final Reviewing Authority Action

A commanding officer retains a member being considered by a Reenlistment or Administrative Discharge Board until Commander (CGPC-epm-1) advises the commanding officer of the Final Reviewing Authority's action.

12.B.11.k. Transfer to the Reserve in Lieu of Discharge

Upon expiration of enlistment, an enlisted Regular Coast Guard member who has an obligation under 10 U.S.C. 651 will be transferred to the Coast Guard Reserve under ☞ Article 12.B.41. in lieu of being discharged. Women who enlisted on or after 1 February 1978 incurred an obligation under 10 U.S.C. 651. Aliens have no military obligation under 10 U.S.C. 651 unless they have been lawfully admitted to the United States for permanent residence under the Immigration and Nationality Act.

12.B.11.l. Type of Discharge

A member discharged for enlistment expiration shall be given an honorable or general discharge as appropriate under ☞ Article 12.B.2.f.

12.b.11.m. Surrender of Uniform

The member may have to surrender his or her uniform. ☞ Article 12.B.53.e.

12.B.12. Convenience of the Government

12.B.12.a. Reasons for Discharge

Commander (CGPC) may authorize or direct enlisted members to separate for the convenience of the Government for any of these reasons:

1. General demobilization, reduction in authorized strength, or by an order that applies to all members of a class of personnel specified in the order.
2. Acceptance of a commission or appointment or acceptance into a program leading to an active duty commission or appointment in any Armed Forces branch.
3. National health, safety, or interest.
4. For immediate enlistment or reenlistment in the Regular Coast Guard, provided reenlistment is for a longer term of service than required under the existing obligation.
5. Erroneous enlistment, reenlistment, extension, or induction including among others:
 - a. A member enlisted or reenlisted, but erroneously was given a higher grade than that to which entitled. ☞ **Coast Guard** Recruiting Manual, COMDTINST M1100.2 (series).
 - b. A member enlisted or reenlisted, but is determined to have more than the maximum number of dependents authorized. ☞ **Coast Guard** Recruiting Manual, COMDTINST M1100.2 (series).

- c. A member undergoing recruit training in an original enlistment, **or a prior service member undergoing initial training in an original enlistment in the Coast Guard**, who has fewer than 60 days' active service **in the Coast Guard** has a physical disability not incurred in or aggravated by a period of active military service; i.e., the defect existed before the member entered the **Coast Guard**.
- 6. To provide members' early separation under various authorized programs and circumstances.
- 7. A member's inability to perform prescribed duties, repeated absenteeism, or non-availability for worldwide assignment.
- 8. To provide the discharge of conscientious objectors.
- 9. Motion sickness.
- 10. Obesity, provided a medical officer certifies a proximate cause of the obesity is excessive voluntary intake of food or drink, rather than organic or other similar causes apparently beyond the member's control.
- 11. Unsatisfactory performers. ☞ Article 12.B.9.
- 12. A condition that, though not a physical disability, interferes with performance of duty; e.g., enuresis (**bedwetting**) or somnambulism (**sleepwalking**).
- 13. At the individual member's written request to permit him or her to enter or return to an accredited college or university. ☞ Article 12.B.8.
- 14. When a member is found to be serving in a constructive enlistment.
- 15. As a result of the issuance of a writ of habeas corpus wherein it has been determined the member's retention in the Coast Guard is illegal.
- 16. When the Commandant so directs for good and sufficient reasons.
- 17. When the Secretary of Transportation directs any member to separate before his or her term of service expires, if the Secretary determines such a separation is in the Coast Guard's best interest.
- 18. At the member's written request to carry out parental responsibilities for care of newborn children. ☞ Article 12.F.

12.B.12.b. Commanding Officers' Authority

Commanding officers are authorized to separate early members who request to reenlist in lieu of extending under these circumstances:

1. To meet the obligated service requirement for transfer or training.
2. To meet the two-year obligated service requirement to advance to E-7, E-8, or E-9.
☞ Articles 1.G.14.a. and 5.C.25.e.

12.B.12.c. Character of Discharge

A member being discharged for the Government's convenience shall be given an honorable or general discharge, as appropriate, under ☞ Article 12.B.2.

12.B.12.d. Member's Right to Attorney

Commanding officers recommending involuntary separation under this Article for a member whose PDR indicates issuance of a general discharge must give the member the opportunity to consult with a lawyer counsel before initiating such action. Include a copy of the closed-out form CG-3306 of 30 June 1983 showing average Proficiency, Leadership, and Conduct marks and a copy of the current CG-3306 showing factor marks in the recommendation for discharge submitted to Commander (CGPC-epm-1).

12.B.12.e. Transfer in Lieu of Discharge

Members eligible for discharge under this Article's paragraph a.1., 3., or 17. may be required to transfer to or enlist in the Coast Guard Reserve in lieu of discharge.

12.B.12.f. Discharge for Other Reasons

If the commanding officer believes separation should not be for the convenience of the Government, but for unsuitability, misconduct, or any other reason, he or she will send a suitable recommendation to Commander (CGPC-epm-1) for consideration. Cases in this category include those in which the member's record shows commission of serious military offenses, a generally unsatisfactory military record, or other good, sufficient cause in the commanding officer's opinion. ☞ Article 12.B.10.

12.B.12.g. Surrendering Uniform

Any member discharged under this Article's paragraph a.8., 10., 11., 15., 16., or 17. is required to surrender his or her uniform. ☞ Article 12.B.53.e.

12.B.13. Vacant

12.B.14. Discharge for Minority (Under Age)

12.B.14.a. Authorization

Commander (CGPC) may authorize or direct the discharge of enlisted members for minority under law or as an administrative act when he or she considers such to be in the Government's best interest.

12.B.14.b. Definition

Under this Article, a person under the age of 18 is considered a minor. A minor must obtain a custodial parent's or legal guardian's written consent before enlisting.

12.B.14.c. Commanding Officer's Action


If it comes to the attention of a commanding officer that a member under the age of 18 may have enlisted in the Coast Guard without the custodial parent's or legal guardian's written consent or a minor's age may have been misrepresented, the commanding officer shall report such information to Commander (CGPC-epm-1) for disposition and include this information in his or her report:

1. Documentary evidence of the minor's true age.
2. A copy of the closed-out form CG-3306 dated 30 June 1983 showing average Proficiency, Leadership, and Conduct marks and a copy of the current form CG-3306 showing factor marks.
3. The parent's or guardian's request for discharge, if received.

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4. The minor's voluntary statement about the circumstances attending enlistment.
5. If the minor is 17 years of age or older, the commanding officer's statement of his or her opinion whether the minor is sufficiently mature for retention.

12.B.14.d. Discharge Location

A member discharged under this Article will be separated at his current duty station, unless  [Article 12.B.46](#) provisions apply.

12.B.14.e. Minimum Enlistment Age

The minimum enlistment age, 17 years, governs discharge for minority.

1. Discharge is mandatory when a minor is determined to be under the minimum enlistment age. The custodial parent's or legal guardian's application for discharge is not required.
2. If a minor enlisted without proper consent has attained the age of 17, Commander, (CGPC-epm-1) authorizes or directs discharge on receiving satisfactory evidence of true age, provided:
 - a. The Coast Guard has received an application for discharge the custodial parent or legal guardian submitted within 90 days of the enlistment, and
 - b. The minor has not attained age 18 when discharge is effected.

12.B.14.f. Policies

The Service will not discharge a minor while he or she needs medical treatment or undergoes hospitalization. A minor enlisted without proper consent or who misrepresented his or her age is subject to trial by court-martial for breaches of regulations to the same extent as other enlisted members. The Service may hold such minors for trial and punishment if they commit an offense before release, notwithstanding the custodial parent's or legal guardian's request for discharge.


12.b.14.g. Fraudulent Enlistment

The enlistment of a minor who enlisted with false representation of age or without proper consent will not in itself be considered a fraudulent enlistment.

12.B.14.h. Service Obligation

A member whose enlistment terminates for minority shall not, as a rule of such enlistment, be considered to have acquired a service obligation under 10 U.S.C. 651. Service under any enlistment so terminated is not creditable toward fulfilling any subsequently acquired service obligation.

12.B.14.i. Character of Discharge

A member discharged for minority shall be given an honorable or general discharge, as appropriate, under  [Article 12.B.2.f.](#)

12.B.14.j. Opportunity for Counsel

Commanding officers recommending a member for involuntary separation hereunder whose PDR indicates issuance of a general discharge must afford the member the opportunity to consult with a lawyer counsel before initiating such action. Include a copy of the closed-out form CG-3306 dated 30 June 1983 showing average Proficiency, Leadership, and Conduct marks and a copy of the current form CG-3306 showing factor marks in the recommendation for discharge submitted to Commander, (CGPC-epm-1).


12.B.14.k. Reenlistment

When a commanding officer considers a member separated for minority otherwise sufficiently mature for service and in all respects qualified, obtain the reenlistment code entered on DD Form 214 CG from the Certificate of Release or Discharge From Active Duty, DD Form 214, COMDTINST M1900.4(series).

12.B.14.l. Notifying Next of Kin

The commanding officer notifies the next of kin of the date and place of discharge, but not the type of and reasons for it. (The Privacy Act of 1974, 5 U.S.C. 552a, prohibits disclosing this information.)

12.B.14.m. Surrender of Uniform

The member is required to surrender his or her uniform.  [Article 12.B.53.e.](#)

12.B.15. Disability

12.b.15.a. Medical Board

A medical board shall be held in the case of an enlisted member when any condition listed in [☛ Article 17.B.4.](#) exists or competent authority directs. [Chapter 17.B.](#) contains procedures for the medical board's report. If a member has remained in the Service with his or her written consent beyond the enlistment expiration under [☛ Article 12.B.11.f.](#), the report shall clearly indicate the following:

1. Patient's status (held beyond normal enlistment expiration date or not).
2. Date of admission to sick list.
3. Whether the member concerned is physically qualified for discharge.

12.B.15.b. Discharge for Physical Disability

Commander, (CGPC-epm-1) may direct or authorize a discharge for physical disability not incurred in or aggravated by a period of active military service through final action on a physical evaluation board under the following conditions.

[☛ Article 12.B.15.c.](#)

1. A medical board has expressed the opinion that:
 - a. The member does not meet the minimum standards for retention on active duty,
 - b. The member is unfit for further Coast Guard service by reason of physical disability, and
 - c. The physical disability was neither incurred in nor aggravated by a period of active military service.
2. The member's commanding officer and district commander concur in the board's opinion.
3. The member has been fully informed of his or her right to a full, fair hearing and the member states in writing he or she does not demand such a hearing.
4. The statement described in subparagraph 3. shall be executed using the following form:

CERTIFICATE OF FULL AND FAIR HEARING

[Date]

I hereby certify it has been fully explained to me a medical board has found I am suffering from a physical disability, namely [diagnosis], and this disability existed before my initial or current entry into the United States Coast Guard on [date of initial or current entry] and was neither incurred in nor aggravated by a period of military service.

I further certify it has been fully explained to me under 10 U.S.C. 1214 and the regulations in Chapter 17, Personnel Manual, COMDTINST M1000.6 (series), I am entitled, as a matter of right, to a full, fair hearing before a physical evaluation board before my separation from the United States Coast Guard if I demand such hearing.

I further certify it has been fully explained to me that if I sign this statement, I may be separated from the United States Coast Guard in the near future without further hearing and without disability, retirement, or severance pay, and any compensation whatsoever; however, all payments ordinarily accruing to personnel discharged under honorable conditions are due and payable.

With full knowledge of the findings of the medical board convened in my case and of my rights in this matter, I hereby certify I do not demand a hearing before a physical evaluation board and request I be separated from the United States Coast Guard as soon as possible.

[Signature]

Witnessed by:

[Signature]

[Rank of Witness]

(Date)


Subscribed and sworn to before me this ____ day of (Month), (Year), I
having the authority to administer oaths.


(Signature)

(Rank)


5. Enlisted members will be discharged for physical disability not incurred in or aggravated by a period of active military service without processing before a physical evaluation board only if the medical board's report clearly and fully establishes such findings.
6. If a medical board finds a member is disabled for mental disability incurred before enlistment without any service aggravation, the member will be ordered before a physical evaluation board unless the statement required by subparagraph 4. is supported by a medical determination that the member possesses sufficient mental capacity and responsibility to intelligently understand he or she has a right to a full, fair hearing and fully understands the import of the statement that he or she does not demand such a hearing.

12.B.15.c. Discharging Recruits


Commanding Officer, Training Center Cape May is authorized to discharge an enlisted member in an original enlistment **in the Coast Guard** who has fewer than 60 days' active service **in the Coast Guard** for physical disability not incurred in or aggravated by active military service; i.e., a pre-existing physical defect, under  Article 12.B.15.b. conditions.

1. The commanding officer discharges the individual under  Article 12.B.12.a. as an erroneous enlistment. On completing the discharge processing, send the medical board report to Commandant (G-WK).
2. If either the medical board or the commanding officer recommends a waiver, send the medical board report to Commander (CGPC-epm-1) for determination.

12.B.15.d. Discharge Site

A member discharged under this Article will be separated at his or her current duty station unless  Article 12.B.46. applies.

12.B.15.e. Character of Discharge

A member discharged for physical or mental disability shall be given an honorable or general discharge, as appropriate, under  Article 12.B.2.f.

12.B.15.f. Opportunity for Counsel

Commanding officers recommending a member for involuntary separation hereunder whose PDR indicates issuance of a general discharge must afford the member the opportunity to consult with a lawyer before initiating such action. Include a copy of the closed-out form CG-3306 of 30 June 1983 showing average Proficiency, Leadership, and Conduct marks and a copy of the current CG-3306 showing factor marks in the discharge recommendation submitted to Commander (CGPC-epm-1).

12.B.15.g. Confidentiality

No one shall furnish the diagnosis or diagnoses on which a discharge for physical or mental disability is based to anyone except in a letter separate from any other letter, document, etc., furnished to the member on discharge. If a commanding officer believes the underlying reason for discharge, if revealed, will detrimentally affect the member concerned, he or she will not furnish the diagnosis or diagnoses on which a discharge for physical or mental disability is based. If a commanding officer does not furnish the diagnosis on application for it, he or she shall advise the member being discharged to apply to Commandant (G-WK).

12.B.15.h. Claim for Compensation

No member may be discharged or released from active duty in the Armed Forces for disability until he or she executes (or refuses to execute) a claim for compensation, pension, or hospitalization to be filed with the Veterans Administration (VA), or signs (or refuses to sign) a statement that he or she has received an explanation of the right to file such claim. Refusal or failure to do so does not prejudice any right such member may thereafter assert. ☞ 10 U.S.C. 1218(b).

12.B.15.i. Applying for Benefits

Under the Privacy Information Act, the VA may not grant compensation or a pension unless the member completes the application VA-Form 21-526e in full. On separation from the Service, the Service member should complete the application, attach the required records or forms listed in the instructions, and send the completed form to the Veterans Administration Regional Office with jurisdiction over the area where the separated member intends to reside. A member who has any questions about this form should contact the Veterans Administration Regional Office.

12.B.15.j. Surrender of Uniform

The member may be required to surrender his or her uniform. ☞ Article 12.B.53.e.



12.B.16. Unsuitability

12.B.16.a. By Commandant's Direction

Commander (CGPC) shall direct the discharge of enlisted members for unsuitability except as provided in ☞ Article 12.B.16.e. A discharge for unsuitability in lieu of disciplinary action will not be issued unless Commander (CGPC) determines the Service's and the member's interests will best be served by administrative discharge.

12.B.16.b. Causes for Discharge for Unsuitability

The purpose of discharges for unsuitability is to free the Service of members considered unsuitable for further service because of:

1. Inaptitude. Applies to members best described as unfit due to lack of general adaptability, want or readiness of skill, clumsiness, or inability to learn.
2. Personality Disorders. As determined by medical authority, personality behavior disorders and disorders of intelligence listed in the  Medical Manual, COMDTINST M6000.1 (series), Chapter 5.
3. Apathy, Defective Attitudes, and Inability to Expend Effort Constructively. A significant observable defect, apparently beyond the member's control, not readily describable elsewhere.
4. Unsanitary Habits.
5. Alcohol Abuse. See  Article 20.B.2. for guidelines on alcohol abuse cases.
6. Financial Irresponsibility.

12.B.16.c. Probation

Commanding officers will not initiate administrative discharge action for inaptitude, apathy, defective attitudes, unsanitary habits, or financial irresponsibility until they have afforded a member a reasonable probationary period to overcome these deficiencies. When commands contemplate discharging a member for these reasons, they shall counsel the member that a formal probationary period of at least six months has begun and make an appropriate Administrative Remarks, CG-3307, entry in the member's PDR that administrative discharge processing will be initiated unless the member shows significant improvement in overcoming the deficiency during the probationary period. The member must acknowledge this entry in writing. Commanding officers are authorized to recommend discharge at any time during probation if the member is not attempting to overcome the deficiency. Submit copies of all CG-3307 entries as an enclosure to the discharge recommendation submitted to Commander (CGPC-epm-1).

12.B.16.d. Member's Rights

In each case processed in accordance with this Article, commanding officers shall:

1. Advise the member in writing, using the letter and endorsement described in ☞ Article 12.B.9., to inform the member of the reason(s) he or she is being considered for discharge. Specifically state one or more of the reasons listed in ☞ Article 12.B.16.b.
2. Afford the member the opportunity to make a written statement on his or her own behalf. If the member does not desire to make a statement, commanding officers shall state such fact in writing over the member's signature and that shall constitute his or her statement. If the member refuses to execute any statement whatsoever, the commanding officer will so state.
3. Afford the member an opportunity to consult with a lawyer as defined in Article 27 (b) (1), UCMJ, if the member's character of service warrants a general discharge. If the member is entitled to and requests counsel and one is not available, a commanding officer must delay discharge proceedings until one is available.

12.B.16.e. Discharging Members

District commanders, maintenance and logistic commanders, and commanding officers of training centers are authorized to discharge enlisted members having fewer than four months' active service in an original enlistment **in the Coast Guard** for unsuitability.

1. If such an enlisted member is deemed unfit for further retention solely for inaptitude as set forth in ☞ Article 12.B.16.b., a medical board is not required.
2. A member discharged under authority of this paragraph is normally issued an honorable discharge if he or she has sincerely attempted to maintain proper military behavior and perform his or her duties proficiently and industriously. Issuing a general discharge is warranted if there is evidence of misbehavior, bad faith, or failure to make a proportionate effort having due regard for his or her rate and capabilities. Commanding officers shall summarize the basis on which awarding a general discharge on an Administrative Remarks, CG-3307, in the member's PDR. The entry should reflect a record of disciplinary infractions in training, culpable failure to conform to minimum standards for recruit, **prior service**, or Reserve training, or poor attitude.

12.B.16.f. Notification

If the Commander (CGPC-epm-1) directs a discharge, the letter or message directing the discharge will state the type (honorable or general) to be issued.

☞ [Article 12.B.16.k.](#) for submitting message recommendations.

12.B.16.g. Site of Discharge

A member discharged under this article will be separated at his or her current duty station, unless ☞ [Article 12.B.46.](#) applies.

12.B.16.h. Physical Examination

A member under consideration for discharge for unsuitability must have a physical examination performed by a Public Health Service or Armed Forces medical officer **in order to identify and record any physical or mental impairments that the member may have.** If one is not available locally, a contract physician may perform the exam.

1. When psychiatric considerations are not involved, the medical officer will submit a narrative summary on **DD-2808 and DD-2807-1** describing the essential points of the member's mental and physical condition. **The examining physician shall describe the condition in terminology set forth in section 3.F of the ☞ Medical Manual, COMDTINST M6000.1 (series).**
2. If psychiatric considerations are involved (**i.e., cases involving conditions dealing with the mind, mental processes, feelings, desires, behavior, personality traits, thoughts, attitudes, etc**) a psychiatrist shall describe the condition in **terminology set forth in section 5.B of the ☞ Medical Manual, COMDTINST M6000.1 (series).** His or her report will also include a statement whether the individual was and is mentally capable both to distinguish right from wrong and adhere to the right and has the mental capacity to understand the action being contemplated in his or her case.

12.B.16.i. More than Eight Years' Service

A member with more than eight years' military service under consideration for discharge for unsuitability is entitled to an administrative discharge board. Include all inactive military service performed in calculating the member's total service for determining eligibility for administrative discharge proceedings. ☞ [Article 12.B.31.](#)

12.B.16.j. Documentation

In every case of discharge for unsuitability, the documents listed below are required. Include them with the recommendation submitted to Commander (CGPC-epm-1) for decision or send them to Commander (CGPC-adm-3) with documents required by [☞ Article 12.B.49](#), if the district commander or commanding officer executes the discharge under [☞ Article 12.B.16.e](#).

1. A copy of the letter notifying the member of the reason(s) for administrative processing and of his or her rights.
2. If applicable, the member's declaration or waiver of opportunity to consult with counsel.
3. The member's signed statement of awareness, statement on his or her own behalf, or refusal to make a statement.
4. Report of medical board or SF-502 as applicable.
5. A copy of the closed out form CG-3306 dated 30 June 1983 showing average Proficiency, Leadership, and Conduct marks and a copy of the current form CG-3306 showing factor marks.
6. Summary of military offenses.
7. Any other pertinent comments or recommendations over the commanding officer's signature.

12.B.16.k. Submitting by Message

Submit recommendations for a discharge for unsuitability by message in situations which serve both the member's and the Coast Guard's best interest. This procedure affects only the format and method of transmitting the commanding officer's recommendation. All fundamental requirements of this Article still apply. Obtain all complete documents required immediately above; the commanding officer must verify them before submitting the recommendation.

1. Message format is considered appropriate only for recommending discharges in cases involving all of the following factors:
 - a. The commanding officer recommends discharge because he or she considers the member unsuitable for further service due to a duly diagnosed personality disorder under [☞ Article 12.B.16.b](#), and
 - (1) A psychiatrist so diagnosed at an Uniformed Service medical facility.

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- (2) Medical statements attesting the absence of ratable disability and presence of mental competency required in [☛ Article 12.B.16.h.](#) have been obtained.
- b. The commanding officer contemplates honorable or general discharge, as determined by [☛ Article 12.B.2.f.](#) If a general discharge is contemplated, ensure compliance with [☛ Article 12.B.16.d.3.](#)
- c. The member being processed has fewer than eight years total active or inactive military service, has been notified in writing of the specific action proposed with the reason(s) for it, and has indicated in a written statement he or she substantially agrees.
- d. No disciplinary action is pending.
2. The message format is not appropriate in cases in which the member's record does not indicate poor performance or substandard conduct and the member's personality disorder has only recently become apparent.
3. A FOUO message recommendation shall contain the applicable information indicated below for the appropriate designating letter under the subject as indicated:

RECOMMENDATION FOR UNSUITABILITY DISCHARGE	
ALPHA	Name, social security number, and rate of member recommended for discharge.
BRAVO	Diagnosis code (ICD) as listed in Chapter 5, Medical Manual, COMDTINST M6000.1 (series).
CHARLIE	Name and address of psychiatrist on whose diagnosis recommendation for discharge is based and date of diagnosis.
DELTA	Statement no ratable disability exists and member is certified mentally competent.
ECHO	If general discharge is contemplated, statement the member was afforded right to legal counsel at the outset of discharge proceedings. (If member requested counsel, include name, grade, and unit counsel assigned or statement of member's waiver of right to counsel.)
FOXTROT	Member's statement on own behalf if he or she desires to make one or "I do not desire to make a statement." If member makes a statement, quote in entirety where feasible.
GOLF	Years and months of total active and inactive military service.
HOTEL	Average proficiency, leadership, and conduct marks through 30 June 1983, and the average marks for each factor for period after 30 June 1983. ☛ Article 12.B.48.b. for direction in determining the average marks of a member (non-rated, petty, or chief petty officer) who was evaluated using more than one form during his or her enlistment.
INDIA	Statement no disciplinary action is pending.

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JULIET	Recommendation on surrendering uniform.
KILO	Grade, name, and title of officer verifying documentation and making the recommendation. Normally the regularly assigned commanding officer does this personally. Must be a commissioned officer.
LIMA	No separation pay authorized.

12.B.16.I. Surrender of Uniform

The member must surrender his or her uniform. ➡ [Article 12.B.53.e.](#)

12.B.17. Security

When a member's retention in the Coast Guard is not clearly consistent with the interest of national security, the Commandant will direct a discharge for security reasons with the discharge character and conditions as stipulated in current directives dealing directly with this matter.

12.B.18. Misconduct

12.B.18.a. Policy

Except as specifically provided here, only Commander, (CGPC) may direct a discharge for misconduct and the type of discharge (under other than honorable, general, or honorable) as warranted by the particular circumstances of a given case. ➡ [Article 12.B.2.](#) Disability evaluation processing will be terminated as described in ➡ [Article 12.B.1.e.](#) for members discharged for misconduct.

12.B.18.b. Reasons to Discharge for Misconduct

Commander, (CGPC) may direct discharging a member for misconduct in any of these cases:


1. Conviction by foreign or domestic civil authorities or action taken tantamount to a finding of guilty of an offense for which the maximum penalty under the Uniform Code of Military Justice is death or confinement longer than one year involving moral turpitude in which the offender is adjudged a juvenile delinquent, wayward minor, or youthful offender; places the offender on probation; or punishes him or her in any way for an offense involving moral turpitude. If the Manual for Courts-Martial Table of Maximum Punishment does not list the offense or it is not closely related to an offense listed there, the maximum punishment authorized by 18 U.S.C. or the District of Columbia Code, whichever is less, applies. A member subject to discharge because of conviction by civil court may be processed for discharge even though an appeal of that conviction has been filed or an intent to do so has been stated. However, the Service generally will delay executing the approved discharge pending outcome of the

appeal is considered appropriate, Commander, (CGPC) may direct discharging the member with the appropriate type of discharge certificate subject to ☞ Article 12.B.18.d.


2. Procuring a fraudulent enlistment, induction, or period of active service through any deliberate material misrepresentation, omission, or concealment which, if known at the time, might have resulted in rejection. The enlistment of a minor with false representation of his or her age or without proper consent will not in itself be considered a fraudulent enlistment. Commanding Officer, Training Center Cape May, is delegated final discharge authority under this Article in these specific cases for members assigned to recruit training **or prior service training program**:
 - a. Deliberately concealed criminal records or **other information necessary to effect** enlistment.
 - b. Any current or past medical conditions or problems discovered during recruit training, **or prior service training program**, which would have prevented enlistment in the Coast Guard, had they been known.
3. Absenteeism. Unauthorized absence(s) of a prolonged, repeated or excessive nature, when it can be shown the member has:
 - a. Been in a state of continuous unauthorized absence for one year or more; ☞ Article 12.B.32.b., or
 - b. Three or more separate, unauthorized absences within a six-month period, or
 - c. Six or more separate, unauthorized absences within a six-month period and the total amount of unauthorized absence is six or more days.
4. Drugs.
 - a. Involvement with Drugs. Any member involved in a drug incident or the illegal, wrongful, or improper sale, transfer, manufacture, or introduction onto a military installation of any drug, as defined in ☞ Article 20.A.2.k., will be processed for separation from the Coast Guard with no higher than a general discharge. Commanding Officer, Training Center Cape May is delegated final discharge authority for members assigned to recruit training **or prior service training program** under this Article in specific cases of drug use before enlistment (as evidenced by a positive urinalysis shortly after **entering** training). New inductees shall sign an **Administrative Remarks**; CG-3307 entry acknowledging the presence of drugs in their bodies is grounds for a general discharge for misconduct.

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- b. Obstructing drug urinalysis testing by tampering with urine samples or documentation, including someone else's. Tampering includes, among other actions, submitting another person's sample in place of the member selected for testing, submitting samples containing substances other than urine, and altering the bar code labels, Urine Sample Custody Document, or unit sample ledger. Members discharged under this provision shall be issued no higher than a general discharge.
- 5. Discreditable involvement with civil or military authorities.
- 6. Sexual perversion including among other actions:
 - a. Lewd and lascivious acts.
 - b. Sodomy.
 - c. Indecent exposure.
 - d. Indecent acts with or upon a child.
 - e. Other indecent acts or offenses.
 - f. Involvement in a prohibited romantic relationship. ☞ Chapter 8.H. for policy guidance.
- 9. Abuse of a family member (spouse or child).
- 10. An established pattern of shirking.
- 11. An established pattern showing dishonorable failure to pay just debts.
- 12. An established pattern showing dishonorable failure to contribute adequate support to dependents.
- 13. An established pattern showing failure to comply with a civil court's valid orders, decrees, or judgments on supporting dependents.
- 12. One act of sexual harassment by assault or sexual coercion, or for conduct demonstrating an established pattern of sexual harassment by crude or offensive behavior, sexist behavior, and/or unwanted sexual attention. ☞ Article 8.I. and Coast Guard Equal Opportunity Program Manual, COMDTINST M5350.4 (series) for definitions and guidelines on sexual harassment.

- 13. An unreasonable refusal to submit to necessary and proper medical or dental treatment considered by competent medical or dental officers to be necessary to render member fit for duty (as determined by a medical board convened in accordance with the provisions of the  Physical Disability Evaluation System, COMDTINST M1850.2 (series)).**
- 14. A repeated refusal to receive an immunization ordered by competent authority.**

12.B.18.c. Probation



Commanding officers must afford a member a reasonable probationary period to overcome deficiencies before initiating administrative discharge action in cases of frequent discreditable involvement with civil or military authorities; abuse of a family member; shirking; failure to pay just debts, contribute adequate support to dependents, or comply with valid orders of civil courts to support dependents; or involvement in a prohibited romantic relationship as described in  [Article 8.H](#). For cases of family (spouse or child) abuse, a treatment period will also serve as a probationary period and commands shall comply with current Family Advocacy Commandant Instructions. If a command contemplates discharging a member for reasons contained in this paragraph, it shall counsel the member a formal probation or treatment period of at least six months has begun and make an appropriate Administrative Remarks, CG-3307, entry in the member's PDR stating the command will initiate administrative discharge processing unless the member shows significant improvement in overcoming the deficiency during the probationary period. The member must acknowledge the entry in writing. For Reservists who are shirking, a letter via Certified Mail, return receipt requested (Restricted Delivery to addressee only), stating the probationary period has begun may substitute for the CG-3307. However, commanding officers are authorized to recommend discharge at any time during the probation if the member is not making an effort to overcome the deficiency. Participation in the family (spouse or child) abuse treatment program is considered a failure when the physical abuse toward the victim or another person recurs, or the member is determined to be unresponsive and treatment is no longer appropriate. Failure to attend treatment is grounds for the command to consider separation. Submit copies of all CG-3307 entries as an enclosure to the discharge recommendation submitted to Commander, (CGPC-epm-1).

12.B.18.d. Discharging Members with More than Eight Years Service for Misconduct


Commanding officers shall process all cases in which they contemplate a discharge under other than honorable conditions for misconduct as  [Article 12.B.32.](#) prescribes. In addition, they shall follow that Article's procedures if considering discharging any member with eight or more years of total active and inactive military service for misconduct, even if contemplating an honorable or general discharge.

12.B.18.e. Discharging Members with Fewer than 8 Years Service for Misconduct


Commanding officers shall process members with fewer than eight years of total active and inactive military service recommended for honorable or general discharge for misconduct as follows:

1. Inform the member in writing of the reason(s) for being considered for discharge (specifically state one or more of the reasons listed in  [Article 12.B.18.b.](#) supported by known facts).
2. Afford the member an opportunity to make a written statement. If the member does not desire to do so, the commanding officer sets forth that fact in writing over the member's signature. If the member refuses to sign a statement his or her commanding officer will so state in writing.
3. Afford the member an opportunity to consult with a lawyer as defined by Article 27(b)(1), UCMJ, if contemplating a general discharge. If the member requests counsel and one is not available, the commanding officer must delay discharge proceedings until such time as counsel is available.
4. Send the case containing a recommendation and these documents to Commander, (CGPC-epm-1) for action:
 - a. The reason(s) for processing (include reason such as repeated military offenses, drug abuse, indebtedness, etc.)
 - b. If the reason(s) is (are) civil conviction(s), include:
 - (1) The report  [Article 8.B.2.](#) requires.
 - (2) An official statement from the judge, prosecuting attorney, clerk or other court official reciting the civil statute(s) violated, charges on which tried and convicted, and sentence of the court.
 - (3) Witnesses' statements, arrest reports, copies of court records and probation orders, if obtainable, and all other pertinent documents.

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- (4) The maximum punishment which could have been imposed for such conviction under the UCMJ, if determinable. Based on the information furnished, Commander (CGPC-epm-1) will determine the maximum punishment imposed under 18 U.S.C. or the District of Columbia Code.
- c. Summary of Military Offenses. List in chronological order all disciplinary action during current enlistment, including:
 - (1) Dates of non-judicial punishment or court-martial by type.
 - (2) Description of offense(s).
 - (3) Non-judicial punishment or sentence as approved and approval date.
 - (4) All violations of regulations during current confinement with action taken.
 - (5) The commanding officer's comments, including information on the counseling requirement for cases processed for frequent discreditable involvement with civil or military authorities, dishonorable failure to pay debts, shirking, and dishonorable failure to support dependent(s).
 - (6) The commanding officer's recommendation.
- d. These enclosures:
 - (1) The copy of the letter notifying the member of the reason(s) for the processing and information on the member's rights and privileges.
 - (2) The member's signed statement of awareness of rights and privileges and request to exercise or waiver of these rights.
 - (3) The member's signed statement, or member's written, signed statement declining to make a statement.
 - (4) A copy of the closed-out form CG-3306 dated 30 June 1983 showing average Proficiency, Leadership, and Conduct marks and a copy of the current form CG-3306 showing factor marks.
 - (5) Other pertinent documents such as psychiatric or medical evaluations (especially in aberrant sexual behavior cases), statements of any witnesses ( Chapter 12.E. for homosexual conduct policy), police reports, etc.
 - (6) A copy of the chain of custody test results form and the appropriate page from unit's drug urinalysis sampling ledger (applicable in cases of recommendations for discharge resulting from a urinalysis indicating drug abuse).

12.B.18.f. Surrender of Uniform

The member is required to surrender his or her uniform.  [Article 12.B.53.e](#).

12.B.19. Discharge Adjudged by Court-Martial Sentence



12.B.19.a. Definition

“Discharge” and “discharges” here refer to punitive discharges adjudged by sentence of general or special courts-martial.


12.B.19.b. Commandant’s Policy

Convening and reviewing authorities should approve adjudged court-martial sentences to punitive discharge in those cases in which the trial record clearly warrants that action and the enlisted member’s records and conduct show he or she is not fit for rehabilitation, meaning retention clearly is not in the Government’s interest.


12.B.19.c. Commandant’s Approval

Punitive discharges adjudged as sentences of courts-martial will be executed only on the Commandant’s specific approval after appellate review of the sentence is complete.  Military Justice Manual, COMDTINST M5810.1 (series). In cases in which confinement and punitive discharge have been imposed and the member has not completed the sentence to confinement when the Commandant approves executing the discharge, the prisoner is discharged and transferred to a federal penal institution to serve the remainder of confinement unless the Commandant remits the balance of the sentence to any confinement remaining at the time of discharge as an act of clemency.  [Chapter 8](#).

12.B.19.d. Transfers

Enlisted members sentenced to discharge will be transferred under  [Article 12.B.45](#).

12.B.19.e. Vacating a Suspended Sentence

If executing a portion of a sentence which adjudges a discharge is suspended subject to a probationary period, the suspension may be vacated under the procedures set forth in the  Military Justice Manual, COMDTINST M5810.1 (series). Commanding officers are directed to carefully consider reports of offenses committed by members serving in such status and undertake proceedings to vacate the suspension of the sentence only if the record clearly establishes such action is appropriate and in the Coast Guard’s best interests. For a new offense the commanding officer may take any of the following actions:

1. Impose non-judicial punishment at captain’s mast or refer the matter to a court-martial.
2. Initiate action to vacate suspension.
3. Both 1. and 2. In either instance, the commanding officer should first confer with the appropriate district or staff legal officer.

12.B.19.f. Character of Discharge

A member discharged as a result of a sentence of a general or special court-martial shall be issued a bad conduct discharge (DD Form 259 CG) or a dishonorable discharge (DD Form 260 CG), whichever appropriate authority directs.

12.B.19.g. Surrender of Uniform

The member is required to surrender his or her uniform. [☞ Article 12.B.53.e.](#)

12.B.20. Uncharacterized Discharges

12.B.20.a. Definition

1. Uncharacterized discharges are authorized for all members separated at the entry level on or after 15 June 1983 who:
 - a. Have fewer than 180 days of active service on discharge, **and**
 - b. Demonstrate poor proficiency, conduct, aptitude or unsuitability for further service during the period from enlistment through recruit training, **or**
 - c. **Exhibit minor pre-existing medical issues not of a disabling nature which do not meet the medical/physical procurement standards in place for entry into the Service.**
2. An uncharacterized discharge is used for most recruit separations, except for disability, prior service members entering recruit training, or in cases when another type of discharge may be appropriate as described in [☞ Article 12.B.16.](#) for recruits with serious infractions.

12.B.20.b. Authority

Only Commander (CGPC-epm-1) and Commanding Officer, Training Center Cape May have final authority to discharge a member under this Article.

12.B.20.c. Discharge Certificate

No discharge certificate will be issued to a member awarded an uncharacterized discharge. Only a DD-214 will be issued.

12.b.20.d. Characterized vs. Uncharacterized Service

The availability of the uncharacterized discharge does not preclude awarding recruits with serious infractions a type of discharge used for characterized service, usually General or Under Other than Honorable Conditions. If other than an uncharacterized discharge is appropriate, send requests to Commander (CGPC-epm-1) for consideration.

12.B.20.e. Counseling

As with most other types of separations, Commanding Officer, Training Center Cape May should not initiate uncharacterized discharge processing until he or she has formally counseled the member about deficiencies and afforded him or her an opportunity to overcome them as reflected in appropriate counseling or personnel records.

12.B.20.f. Administrative Discharge Board

Administrative Discharge Board procedures as described in [☞ Article 12.B.31.](#) shall be used for members discharged under [☞ Chapter 12.E.](#) and who have 180 days' or more service on notification of discharge.

12.B.20.g. Separation Program Designator

1. The following codes are authorized to be used with uncharacterized discharges:

JCM, JDA, JDK, JDU, JFA, JFC, JFN, JFT, JFV, JFW, JFX, JGA, JHF, JND, JRB, KDS, KFN, LGA
--

2. Reentry (RE) codes will be issued only in accordance with [☞ Article 12.B.2.g.](#) and the [☞ Certificate of Release or Discharge from Active Duty, DD-214 Instruction, COMDTINST M1900.4 \(series\).](#)

12.B.21. Discharge for the Good of the Service

12.B.21.a. Request for Discharge

An enlisted member may request a discharge under other than honorable conditions for the good of the Service in two circumstances: in lieu of UCMJ action if punishment for alleged misconduct could result in a punitive discharge or at any time after court-martial charges have been preferred against him or her. This request does not preclude or suspend disciplinary proceedings in a case. The officer who exercises general court-martial jurisdiction over the member concerned determines whether such proceedings will be delayed pending final action on a request for discharge. Send requests for discharge under other than honorable conditions for the good of the Service through the officer exercising general court-martial jurisdiction for his or her personal review and comment.

12.B.21.b. Legal Counsel

A member who indicates a desire to submit a request for a discharge under other than honorable conditions for the good of the Service will be assigned a lawyer counsel. If the member elects to have civilian counsel at his or her own expense, the record shall indicate the civilian counsel's name, address, and qualifications.

12.B.21.c. Request Format

A member who persists in the desire to request a discharge under other than honorable conditions under this Article after consultation with counsel personally signs such request using the following letter format:

From: [Rate, name, social security number]

To: Commander, (CGPC-epm-1)

Via: [Chain of command]

Subj: REQUEST FOR DISCHARGE UNDER OTHER THAN
HONORABLE CONDITIONS FOR THE GOOD OF THE
SERVICE

Ref: (a) Article 12.B.21., Personnel Manual, COMDTINST
M1000.6, (series).

1. Under the provisions of reference (a), I hereby request a discharge under other than honorable conditions for the good of the Service in lieu of trial by court-martial under circumstances which could lead to a bad conduct or dishonorable discharge.

2. I have consulted with [counsel's grade, name, or if civilian, name and title], a member of the Bar in the State of [fill in] who has fully advised me of the implications of such a request. The basis for my request for a discharge under other than honorable conditions for the good of the Service stems from my misconduct contained in the court-martial charges preferred against me in enclosure (1). I elect to be administratively discharged rather than tried by court-martial. I am completely satisfied with the counsel I have received.

3. I understand if this request is approved I will receive a discharge under other than honorable conditions, which may deprive me of virtually all veterans' benefits based on my current period of active service, and I may expect to encounter substantial prejudice in civilian life in situations in which the type of service rendered in any Armed Forces branch or the character of discharge received therefrom may have a bearing.

4. I understand once I submit this request, I may withdraw it only with the consent of Commander, (CGPC-epm-1).

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5. I understand I may submit a sworn or unsworn statement on my behalf. [I do not desire to submit a statement.] [My sworn/unsworn statement is submitted herewith as enclosure (2).]

6. I make this request voluntarily, free from any duress or promises of any kind. I have asked my counsel, who has fully explained to me the implications of my request, to witness my signature.

7. I have retained a copy of this request for a discharge under other than honorable conditions for the good of the Service in lieu of trial by court-martial and all enclosures related thereto.

Signature of Member

Witnessed by:

Signature of Counsel

Name, Grade

State licensed

Date

Encl: (1) Copy of court-martial charges
(2) Member's statement

12.B.21.d. Processing the Request

The member sends the request for discharge through the chain of command to Commander, (CGPC-epm-1). The member's commanding officer shall recommend approval or disapproval of the member's request with appropriate justification for his or her recommendation, certify accuracy of the court-martial charges, and enclose the following documents in the forwarding endorsement:


1. A report of medical examination and either a medical officer's opinion a psychiatric evaluation is not warranted as part of the evaluation processing or a copy of the psychiatric evaluation. The member shall be referred to a psychiatrist only after a medical officer's evaluation. Such referrals are generally limited to those cases in which evidence reveals the member may not have been able to distinguish right from wrong or adhere to the right at the time of the alleged offense or is not capable of understanding the nature of the proceedings against him or her due to mental incompetence.
2. A complete copy of all investigation reports.

3. Any other pertinent information, reports, statements, etc., the commanding officer considered in arriving at his or her recommendation.

12.B.21.e. Coast Guard Personnel Command's Review

The reason for discharge shall be for the good of the Service, and commanding officers shall not recommend the member for reenlistment. If Commander, (CGPC-epm-1) believes the member warrants a more favorable discharge type than under other than honorable conditions based on the facts of the case, Commander, (CGPC-epm-1) may direct issuing an honorable or general discharge.

12.B.21.f. Surrender of Uniform

The member is required to surrender his or her uniform.  [Article 12.B.53.e.](#)

12.B.22. Canceling Void Enlistments

12.B.22.a. Policy

An enlistment determined to be void from its inception is canceled. A person whose enlistment is canceled by Commander, (CGPC-epm-1) as being void from its inception will not be issued a discharge certificate.


12.B.22.b. Definition

Void enlistments include those entered into while the member is:

1. Intoxicated.
2. Insane.
3. A deserter from the U.S. Armed Forces.
4. Enlisted after he or she has received orders for induction.
5. Judicially coerced into an enlistment under the circumstances existing in *U.S. v. CATLOW*, 48 CMR 758 (1974) and its progeny, and
6. Enlisted as a result of recruiter misconduct under the circumstances existing in *U.S. v. RUSSO*, 50 CMR 650 (1975) and its progeny.

12.B.22.c. Processing After Enlistment Irregularities

In cases brought to trial by court-martial in which the presiding officer rules during the course of the trial the court lacks personal jurisdiction over the accused due to enlistment processing irregularities, use the following procedures:

1. Submit to Commander, (CGPC-epm-1) a message report containing at a minimum a summary of the witnesses' testimony leading to presiding officer's decision. If the convening authority decides to request a reconsideration of the presiding officer's decision, the message report shall so state.
2. While a military court's determination it does not have jurisdiction over a person is conclusive for its purpose, an administrative determination must still be made whether the enlistment is void or valid and whether the Service will release or retain the individual.
3. Commander, (CGPC-epm-1) will administratively determine the nature of the enlistment and direct the action to take in each case: The individual either may be immediately processed for release, retained until the convening authority completes the post-trial review action, or retained in the Coast Guard, depending on the case.
4. If release is authorized, process members under  [Article 21.B.22.f](#).

12.B.22.d. Disposition Before Trial

In cases referred to trial by court-martial in which the defense expresses an intent to raise a motion based on lack of personal jurisdiction, the trial counsel conducts a thorough investigation. If thereafter the convening authority concludes the ends of justice will best be served by an administrative disposition before trial, take the following steps:

1. Request the individual to make a sworn statement witnessed by his or her defense counsel stating the basis on which he or she contends his or her enlistment is void.
2. Submits a message report to Commander, (CGPC-epm-1) containing the following information:
 - a. The accused's full name, rate and social security number.
 - b. Date and place trial is scheduled.
 - c. Offenses charged.
 - d. Recruiter's full name and rate.
 - e. Recruiter's current duty station (if known).
 - f. Anticipated testimony of accused.
 - g. Anticipated testimony of other defense witnesses or a summary or other evidence the defense expects to offer.

- h. The recruiter's anticipated testimony. Ensure the recruiter is properly advised of his or her rights before making any statement.
 - i. Anticipated testimony of other Government witnesses or summary of other evidence the Government will offer.
 3. If Commander, (CGPC-epm-1) authorizes releasing the individual, file a copy of his or her statement, the charges, and the release authorization in the member's PDR and process the member for release under [Article 12.B.22.f.](#)


12.B.22.e. Other Void Enlistments

Other cases of apparently void enlistments not arising in connection with courts-martial proceedings shall be reported immediately to Commander, (CGPC-epm-1), who will confirm the facts, direct the action to take, and determine the disposition of the person concerned.

12.B.22.f. Separating Due to Void Enlistment

When the decision is made to separate an individual for void enlistment, immediately notify the PERSRU to terminate the member's pay. The PERSRU promptly confirms this notice in writing. When separation is directed, the member may retain pay and allowances previously received, but no further payments will be made, including those for unpaid pay and allowances for accrued leave. The member shall be released as expeditiously as possible consistent with proper administrative procedures, as follows:

1. Offer the member the opportunity to take a physical examination. If he or she declines, request him or her to so state in writing and include the written refusal in the member's PDR and Health Record. If the individual refuses to execute a written refusal, make an Administrative Remarks, CG-3307, entry in the PDR to that effect. Only medical conditions requiring emergency treatment discovered during the course of a physical examination will be treated, and then only after the member executes a suitable consent form. Disqualifying medical conditions will not be referred to medical boards in cases processed under this Article, but they will be noted on Report of Medical Examination, Standard Form 88.
2. Recover Armed Forces ID Card, DD Form 2, all dependent ID cards (DD Form 1173), all items of exterior uniform clothing, and all other military property the individual possesses.
3. Prepare DD Form 214. The following special requirements apply:
 - a. Block 9A: Enter "Void Enlistment".

- b. Block 9C: Enter “Article 12.B.22.b., Personnel Manual, COMDTINST M1000.6 (series)” as authority.
- c. Block 9E: Enter “Note-Void Enlistment”.
- d. Block 9F: Enter “None”.
- e. Blocks 10, 12, 13, 15, 16, 17, 19, and 20: Enter “N/A”.
- f. Block 18A: Enter “00 00 00”.
- g. Block 27: Enter, “This enlistment is void in accordance with [enter the appropriate reason under  Article 12.B.22.b.]. This release does not constitute a discharge and a discharge certificate has not been issued. Individual will not be enlisted at a later date unless Commander, (CGPC-CGRC) approves first.” Ensure the individual fully understands this action.

12.b.22.g. Transportation

Members released because of a void enlistment are entitled to transportation to their home of record or the place where they entered military service, in accordance with the Joint Federal Travel Regulations, Vol. 1, U7375.

12.B.23. Through 12.B.30. VACANT

12.B.31. Administrative Discharge Board and Final Action of Discharge Authority

12.B.31.a. Definition

An administrative discharge board is a fact-finding body appointed to render findings based on the facts obtained and recommend either retention in the Service or discharge. If recommending a discharge, the board also recommends a reason for discharge and the type of discharge certificate to be issued.



12.B.31.b. Composition

Administrative discharge boards consist of at least three commissioned officers, at least one of whom is a lieutenant commander or higher, and normally a separate recorder. He or she need not be qualified counsel as defined in Article 27(b), UCMJ, but the Coast Guard legal officer or Staff Judge Advocate must deem him or her qualified for this duty. The following additional requirements apply:

1. If the respondent is a member of the Reserve, the board includes a majority of Reserve officers, if reasonably available; if not, the board must include at least one Reserve officer.
2. If the respondent is a woman, at her written request the board must include as a voting member a woman officer if one is reasonably available. If not, the record of the proceedings must state that determination and the facts supporting it.
3. If the respondent is a member of a minority group, at the respondent's written request the board must include as a voting member an officer who is also a minority group member, normally of the same minority group as the respondent, if one is reasonably available. If an officer of the same minority group is not reasonably available, the record of the proceedings must state that determination and the facts supporting it.

12.B.31.c. Double Jeopardy

The Service will not subject any member to administrative discharge action based on conduct a previous administrative discharge board considered if the evidence before the subsequent board would be substantially the same as that before the previous board. The prohibition does not apply if:

1. A new board is convened under  Article 12.B.31.e.(7) or the record is returned to the existing board for further consideration under  Article 12.B.31.d.; or
2. The previous board's findings favorable to the respondent are determined to have been obtained by fraud or collusion.

12.B.31.d. Discharge Authority

Except as appropriate articles in this manual otherwise specify, the Coast Guard Personnel Command is the discharge authority in all cases of administrative separations. Send the original and one copy of the administrative discharge board report to Commander, (CGPC-adm-2) through the chain of command for endorsement. When Commander, (CGPC-c) receives the record of administrative discharge proceedings, he or she will review the board record and approve or disapprove the board's findings of fact, opinions, and recommendations in whole or in part. Commander, (CGPC-c) may disapprove findings and opinions if they were made based on incomplete evidence, contrary to the evidence the board considered or to law or regulation, a misunderstanding or misapplication of written policy, or otherwise clearly in error. If Commander, (CGPC-c) disapproves the findings of fact, opinions, or recommendations; he or she may:

1. Amend, expand, or modify findings of fact and opinions or take final action other than that recommended without returning the record, if evidence of record supports that action and the final action states the specific reasons; or
2. Return the record to the board for further consideration with a statement of the specific reasons to disapprove the findings of fact, opinions, or recommendations.

12.B.31.e. Options of Discharge Authority

Commander, (CGPC-c) may then take one of these final actions:

1. Approve the board's findings of fact, opinions, and recommendations and direct their execution.
2. Approve the board's recommendation for discharge, but change its type either to one more favorable than recommended if the circumstances warrant it or to one less favorable than recommended based on a determination the type of discharge recommended does not fall within [Article 12.B.2.](#) guidelines.
3. Approve the board's recommendation for discharge but change the basis for discharge when the record indicates such action would be appropriate, except Commander, (CGPC-c) will not designate misconduct if the board has recommended discharge for unsuitability.
4. Approve a discharge, but suspend its execution for a specified probationary period. [Article 12.B.34.](#)
5. Disapprove the recommendation for discharge and retain the member in the Service.
6. Disapprove the recommendation for retention and direct discharge under honorable conditions with an honorable or general discharge certificate as warranted.
7. Disapprove the findings, opinions, and recommendations and refer the case to a new board based on a finding of legal prejudice to the substantial rights of the respondent. If the case is referred to a new board:
 - a. No member of the new board shall have served on a previous board which considered the same matter; and
 - b. The record of the earlier board's proceedings, minus the findings, opinions, recommendations, and unduly prejudicial matter may be furnished to the succeeding board.

12.B.31.f. Limits to Board Findings

Administrative discharge boards may not enter findings contrary to matters previously adjudicated in civil or court-martial convictions even if the appellate process is not complete. For the purposes of an administrative discharge proceeding instituted on the basis of the same facts, military and civil convictions conclusively show the facts underlying the conviction. Administrative discharge proceedings will not be used to collaterally attack a civil or military court conviction, although this does not preclude the respondent from presenting mitigating, extenuating, or explanatory matters. If executing the discharge without waiting for final action on the appeal of the conviction, if considered appropriate the member may be discharged with the appropriate type of discharge certificate Commander, (CGPC-c) directs.

12.B.32. Procedure for Discharge Under Other than Honorable Conditions


12.B.32.a. Right to Counsel


Both the Government and respondent are entitled to legal representation before administrative discharge boards convened and constituted under [Article 12.B.31](#). The respondent is entitled to the appointment of military counsel qualified under Article 27 (b), UCMJ or may obtain civilian counsel at his or her own expense. The district commander will provide the commanding officer legal counsel.

1. The Service will not discharge any member under other than honorable conditions without first affording him or her the right to present the case to an administrative discharge board with the advice and assistance of counsel and unless approved board findings and an approved recommendation for discharge under other than honorable conditions support such discharge. However, if appropriate, the Service may issue such discharge without board action if the member is beyond military control for prolonged unauthorized absence, requests discharge for the good of the Service, or waives the right to board action in writing.
2. The discharge authority may direct issuing the type of discharge recommended by an administrative discharge board or a more favorable discharge but not a less favorable discharge than that recommended.
3. Even if an administrative discharge board recommends retention, the discharge authority may direct separation if the circumstance of a particular case warrant. In this event, the discharge must be effected under honorable conditions and the member thus separated will be awarded an honorable or general discharge certificate as specified in the authority for discharge.

4. The Service will not administratively discharge any member with a discharge under other than honorable conditions if the grounds for that discharge are based wholly or partly on acts or omissions for which a court-martial resulting in acquittal or having the same effect previously tried the member, except if such acquittal or equivalent disposition was based on a legal technicality not according to the merits.


12.B.32.b. Discharge Procedure

Use the following procedure in the case of a member considered for a discharge under other than honorable conditions for misconduct under  [Article 12.B.18](#).

1. At the outset of the separation process, a member being processed for involuntary separation with a discharge under other than honorable conditions shall be provided the opportunity to consult with a legal counsel.
2. A member under military control will be notified in writing of the basis for the proposed discharge action and require the member to acknowledge receiving the notice by signing a copy. The notice shall include the following information:
 - a. The basis for the proposed discharge action.
 - b. A discharge under other than honorable conditions may deprive him or her of virtually all veterans' benefits based on the current period of active service.
 - c. The member may encounter substantial prejudice in civilian life in situations in which the type of service rendered in any Armed Forces branch or the character of discharge received from it may have a bearing.
 - d. The member has the right to present the case and appear in person before an administrative discharge board.
 - e. The member has the right to be represented by counsel.
 - f. The member may waive these rights conditionally or unconditionally in writing; however, no member will be permitted to do so until legal counsel has fully advised him or her on this matter. After counseling if the member waives the right to a hearing before an administrative discharge board, he or she must submit a signed statement as indicated in  [Articles 12.B.32.g.](#) or [h.](#) The member, the counsel furnishing advice, and a witness must sign this statement.

3. If a member waives these rights unconditionally, Commander, (CGPC-epm-1) may disapprove the waiver and refer the case to an administrative discharge board, direct retention on active duty, or direct discharge for misconduct or security. If directing discharge, Commander, (CGPC-epm-1) will specify the type of certificate.
4. If a member submits a conditional waiver, on approving it Commander, (CGPC-epm-1) shall direct separation, specifying either an honorable or under less than honorable conditions discharge. If disapproving a conditional waiver, Commander, (CGPC-epm-1) will return the case for further processing under this Article.
5. A member unable to appear in person before an administrative discharge board due to confinement by civil authorities will be advised (by registered mail) of the proposed discharge action, the type of discharge certificate that may be issued, and the fact that action has been suspended to give the member the opportunity to exercise the right to:
 - a. Request appointment of a military counsel as a representative to present the case before an administrative discharge board in the member's absence.
 - b. Submit statements on his or her own behalf.
 - c. Waive these rights, either in writing or by declining to reply to the letter of notification within 15 days of the date he or she received the registered letter.
6. Except for Reservists, a member beyond military control for unauthorized absence of more than one year may be issued a discharge under other than honorable conditions in absentia. Notice of the imminent discharge action and its effective date will be sent by registered mail to the member's or next of kin's record address, as appropriate.

12.B.32.c. Commanding Officer's Brief

After following the procedures in  [Article 12.B.32.b.](#) and if the member waives the right to refer the case to an administrative discharge board, the commanding officer will prepare a brief containing this information to send to Commander, (CGPC-epm-1) when forwarding the recommendation for discharge for the Commandant's action:

1. The commanding officer's detailed comments and recommendation.

2. Summary of Military Offenses. List in chronological order all disciplinary action during the current enlistment. Include PDR entry locations, date of non-judicial punishment or court-martial by type, description of offenses, non-judicial punishment or sentence as approved, and approval date.
3. Unclean Habits, if Any. Substantiate all unclean habits including repeated venereal disease infections during the current enlistment. When reporting venereal diseases, indicate the date of each admission and nature of the infection.
4. Civil Convictions, if any, on the basis of information contained in the PDR or otherwise readily available. List date and court in which convicted, offense, and sentence awarded.
5. If recommending an honorable or general discharge, the commanding officer shall recommend whether the individual should be required to surrender his or her uniform. ➡ [Article 12.B.53.e.](#)
6. Attach the following enclosures to the brief:
 - a. The member's signed statement on own behalf, if submitted.
 - b. A copy of the closed out form CG-3306 dated 30 June 1983 showing average Proficiency, Leadership, and Conduct marks and a copy of the current form CG-3306 showing factor marks.
 - c. The member's signed waiver of rights outlined in ➡ [Article 12.B.32.g.\(1\)](#), if submitted.
 - d. Other pertinent documents such as psychiatric or medical evaluations (especially in aberrant sexual behavior cases), statements of any witnesses, police reports, etc.

12.B.32.d. Convening an Administrative Discharge Board

If the member retains the right to have an administrative discharge board hear the case, the commanding officer convenes an administrative discharge board under ➡ [Article 12.B.31.](#) and the Administrative Investigations Manual, COMDTINST M5830.1 (series). Commanding officers are hereby authorized to convene administrative discharge boards on enlisted Reserve members on active duty; ➡ [Article 12.B.31.a.](#) The commanding officer furnishes the administrative discharge board president with the information listed in subparagraphs 2., 3., and 4. above plus other pertinent documents specified in subparagraph 6. In submitting the case to the board the commanding officer refrains from commenting on those facts or the respondent, presenting any argument to the board based on those facts, and recommending separation or type of discharge.

12.B.32.e. Board Action

If an administrative discharge board recommends discharge it will recommend a specific type of discharge to be issued; e.g., honorable, general, or under other than honorable conditions, based on the individual's overall military record.

12.B.32.f. Commandant's Final Action

Commander, Coast Guard Personnel Command's final action may differ from the command recommendation under [Article 12.B.32.c.](#) or the administrative discharge board's recommendation under [Article 12.b.32.d.](#) above.

12.B.32.g. Formats to Waive a Hearing Unconditionally

1. General. Use this format when preparing an unconditional waiver of rights to a hearing before an administrative discharge board involving misconduct or unsuitability.

From: Member [name, rate, social security number]
To: [proper Separation Authority, in most cases Commander, (CGPC-epm-1)]
Via: Chain of command
Subj: UNCONDITIONAL WAIVER OF A HEARING BEFORE AN ADMINISTRATIVE DISCHARGE BOARD

1. My commanding officer has advised me he or she is recommending me for a discharge under other than honorable conditions for misconduct [or unsuitability, as applicable] and the reasons for this. He or she also advised me, since I am being recommended for such a discharge, I am entitled to these rights, unless I waive them in writing:

- a. An administrative discharge board of at least three officers will hear my case.
- b. I may appear in person before such administrative discharge board (unless in civil confinement or otherwise unavailable).
- c. I may be represented by counsel.

2. I hereby waive my right to a hearing before an administrative discharge board. I [am/am not] submitting a statement on my own behalf. I understand if Commander, (CGPC-epm-1) approves the recommendation for an administrative discharge, he or she also will determine and specify the type of discharge (honorable, general or discharge under other than honorable conditions) to be issued to me.

3. I further understand if a discharge under other than honorable conditions is issued to me, this discharge may deprive me of many or all of my rights as a veteran under both federal and state legislation and I may expect to encounter substantial prejudice in civilian life in situations in which the type of service rendered in any Armed Forces branch or the type of discharge received from it may have a bearing.

4. I voluntarily sign this statement of my own free will after having been counseled by legally qualified counsel who has been provided to assist me. I have retained a copy of this statement.

Member's Signature

Witnessed by:

Signature of Counsel/Date

Name, Grade

State licensed

12.B.32.h. Format to Waive a Hearing Conditionally

Use this general format when preparing a conditional waiver of rights to a hearing before an administrative discharge board.

From: Member [Name, rate, social security number]
To: [proper Separation Authority, in most cases Commander, (CGPC-epm-1)]
Via: Chain of command
Subj: **CONDITIONAL WAIVER OF A HEARING BEFORE AN ADMINISTRATIVE DISCHARGE BOARD**

1. My commanding officer has advised me he or she is recommending me for discharge for misconduct [or unsuitability, as applicable] and the reasons for this. He or she also advised me, since an enlisted person recommended for discharge for misconduct

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may receive a discharge under other than honorable conditions, I have the rights listed below unless I waive them in writing:

a. An administrative discharge board of at least three officers will hear my case.

b. I may appear in person before such administrative discharge board (unless in civil confinement or otherwise unavailable).

c. I may be represented by counsel.

2. I hereby waive my right to a hearing before an administrative discharge board provided Commander, (CGPC-epm-1) authorizes a discharge under honorable conditions in my case. I [am/am not] submitting a statement on my own behalf. I understand if Commander, (CGPC-epm-1) approves this conditional waiver and recommendation for administrative discharge, he or she will determine and specify the type of discharge (honorable or general) issued to me. I understand also the Commandant may disapprove a conditional waiver and return my case for processing under Article 12.B.31., Personnel Manual, COMDTINST M1000.6 (series).

3. I further understand if a general discharge is issued to me, I may be deprived of many or all of my rights as a veteran under both federal and state legislation and may expect to encounter prejudice in civilian life in situations in which the type of service rendered in any Armed Forces branch or the type of discharge received from it may have a bearing.

4. I voluntarily sign this statement of my own free will after having been counseled by legally qualified counsel who has been provided to assist me. I have retained a copy of this statement.

Member's Signature

Witnessed by:

Signature of Counsel/Date

Name, Grade

State licensed

12.B.33. VACANT**12.B.34. Suspending Execution of Approved Discharge on Probation****12.B.34.a. Policy**

Before a member's enlistment or period of obligated service expires, Commander, (CGPC-c) may suspend executing an approved discharge for a specified period if the circumstances in a case indicate a reasonable prospect for rehabilitation. During this period of suspension, the member will be afforded an opportunity to demonstrate proper behavior and efficient performance of assigned duties for an extended period under varying conditions.

1. When the member satisfactorily completes the probationary period, the approved discharge will be canceled automatically.
2. The member's further misbehavior, substandard performance of duty, or demonstrated inability to conform to the demands of a military environment during the probationary period may establish the basis for one of these actions:
 - a. Punitive or new administrative action may be initiated despite the suspension of executing the approved discharge.
 - b. Suspension of the approved discharge vacated, and the approved discharge executed, including discharging a member in absentia if he or she has been beyond military control for 15 or more days.

12.B.34.b. Commander, Coast Guard Personnel Command's Actions

In all cases in which probation is authorized, Commander, (CGPC-c)'s action will include instructions about the terms of the probation and specify the type of discharge to be executed if the member does not fulfill the terms of the probation, except for those cases described in [Article 12.B.34.c.](#) below. A discharge other than the type specified will not be given the member unless the case is reprocessed under [Articles 12.B.16.](#) or [12.B.18.](#) and Commander, (CGPC-c) directs another discharge.

12.B.34.c. Commandant's Authority


In cases in which the Commandant as Final Reviewing Authority has disapproved an administrative discharge board's recommendation for retention, but suspended executing the discharge on probation, the Commandant reserves the authority to execute the discharge if the member does not fulfill the terms of the probation. In these cases, the commanding officer will send a fully documented recommendation to Commander, (CGPC-c).

12.B.35. Through 12.B.40. VACANT

12.B.41. Procedures to Effect Transfer to Fulfill Service Obligation

12.B.41.a. Definition

Women who enlisted in the U.S. Armed Forces on or after 1 February 1978 acquired an obligation under 10 U.S.C. 651. Aliens have no military obligation under 10 U.S.C. 651 unless they have been lawfully admitted to the United States for permanent residence under the Immigration and Nationality Act. A member fulfills his or her military obligation when he or she:

1. Is discharged for reasons other than to acquire another military status.
2. Has served as a member of the Armed Forces for six years (eight years if enlisted on or after 1 September 1984) excluding all periods of lost time (10 U.S.C. 972).
3. Transfers to the Coast Guard Reserve to fulfill a service obligation as indicated by the member's PDR or the Commandant directs such transfer.
 - a. If not eligible or recommended for reenlistment in the Regular Coast Guard the member will be discharged from the Regular Coast Guard instead of being transferred to the Reserve.
 - b. If eligible or recommended for reenlistment in the Regular Coast Guard, the member transfers to the Coast Guard Reserve. Except as otherwise provided in this subparagraph, aliens will not be transferred to the Coast Guard Reserve but will be discharged when they become eligible for discharge.
 [Article 12.B.47](#). If otherwise eligible, naturalized citizens transfer to the Coast Guard Reserve.

12.B.41.b. Transfer Procedures

Transfer procedures for a physical examination, travel, pay, etc., are the same as for processing a discharge. In addition, the following instructions apply:

1. The member transfers in the rate in which he or she serves when released from active duty.
2. Use the Coast Guard Reserve Assignment Request and Orders, CG-5525, to transfer the member to the Reserves.

12.B.42. Releasing Reserve and Retired Enlisted Members from Active Duty During War or National Emergency

During war or national emergency, enlisted Reserve and retired members will be released from active duty only under instructions issued by the Commandant.

12.B.43. Effective Time of Separation

12.B.43.a. Effective Time of Discharge

Subject to any law providing otherwise, an active duty enlisted member's discharge takes effect when the discharge certificate is delivered. Commander, (CGPC) shall specify the effective date of discharge for all administrative discharge, normally 20 working days from approval date. Members on leave on the effective separation date are considered to be on active duty until 2400 hours of the effective separation date, regardless of when the separation documents arrive in the mail. The effective separation date is a leave day and is charged as annual leave. If a member is discharged while absent without authority or in civil confinement, the discharge certificate is delivered when proper authority signs it. If a discharge is effected so the member can immediately enter the same or any other Armed Forces component in the same or any other status, for administrative purposes the discharge is dated as of the date preceding such entry or re-entry. If a member is assigned an escort to the home of record, the discharge certificate will not be delivered until actual arrival at the home of record and the next of kin, other close relative, or court-appointed guardian assumes custody. ➡ [Article 12.B.46.a.](#)

12.B.43.b. Effective Time of Release

Subject to any law providing otherwise, the release to inactive duty of a Regular Coast Guard member transferred to the Coast Guard Reserve and concurrently released to inactive duty takes effect when the separation document is delivered. Members on leave on the effective separation date are considered on active duty until 2400 hours of the effective separation date regardless of when the separation documents arrive in the mail. The effective separation date is considered a day of leave.

12.B.43.c. Reservist's Effective Time of Release

Subject to any law providing otherwise, the release to inactive duty of a Reservist who was called to active duty takes effect either at the actual time he or she arrives home or the authorized travel time expires, whichever is earlier.

12.B.43.d. Injury While Traveling

If a discharged member is seriously injured while returning home and taken to a service hospital, he or she may be eligible for hospitalization and other benefits from the Veterans' Administration; the member should be advised to file an appropriate claim with that agency.

12.B.44. VACANT

12.B.45. Transfer for Discharge Under Other than Honorable Conditions

Members discharged under other than honorable conditions shall be transferred under these instructions, except for members under 18 years of age, who transfer under ➡ [Article 12.B.46.a.](#)

12.B.45.a. Members Serving Abroad

The Service will not discharge any member under other than honorable conditions in a foreign country except for citizens of the Republic of the Philippines.

➡ [Article 12.B.47.](#)

12.B.45.b. Informing District Commander

When transferring members for a discharge under other than honorable conditions, bad conduct, or dishonorable discharge, send a letter, with copy to Commander, (CGPC-epm) explaining the circumstances of the transfer to the district commander to which transferred for discharge. Transfer is to be effected without guard, unless the responsible officer deems it necessary. In no circumstances, however, may these members carry their own records. In all instances, the member should be advised of the fact that discharge authorization does not preclude further disciplinary action and any infraction of regulations while en route to a district office will result in commensurate action and delay of discharge.

12.B.45.c. Transportation

Under Chapter 5, Part G, I., Joint Federal Travel Regulations, any enlisted member separated with a discharge under other than honorable conditions, bad conduct, or a dishonorable discharge is entitled to transportation in kind and meal tickets from the place of discharge to his or her home of record unless the member is confined pursuant to sentence of a civil court on the discharge date. Instead of the home of record, the member may be furnished transportation in kind and meal tickets from the place of discharge to a place other than the home of record if:

1. The member so requests, and
2. In the district commander's or commanding officer's judgment, furnishing such transportation in kind and meal tickets would be in the best interest of the member concerned, and
3. The cost to the Government of such transportation and meals does not exceed that of transportation to the member's home of record.

12.B.46. Separation Under Honorable Conditions

12.B.46.a. Separation from Duty Station

A member who is separated under honorable conditions is separated from his or her duty station with these exceptions:

1. A member under 18 years of age deemed immature, irresponsible, and/or unable to perform travel without constituting a menace to himself or herself or the public shall be discharged from the current duty station and assigned an escort to accompany him or her to the custody of the next of kin, other close relative, or court-appointed guardian. In such cases, the effective discharge date is that on which the escort delivers the discharge certificate to the person assuming custody; ➡ Articles 12.B.14.i. and 12.B.43.
2. An alien separates under ➡ Article 12.B.47.
3. A member who at the time of separation serves in a foreign country transfers to the district nearest the point of debarkation within the continental United States for separation. If circumstances warrant, the district commander designates a major command to which the member may report for processing.
➡ Article 4.H.1.d. In lieu of transferring to CONUS, the member may be separated in the area where serving if the cognizant district commander approves based on the member fulfilling these criteria; send all requests of a questionable nature to Commander, (CGPC-epm-1). The member:
 - a. Has no record of serious disciplinary infractions.
 - b. Has no record of complaints of non-support or indebtedness.
 - c. Is not attempting to evade judicial action.
 - d. Does not exhibit a potential for discreditable conduct.
 - e. Has obtained the necessary passport and visa, when required.

4. When a member serves outside CONUS and it is deemed more economical or in the Government's best interests, taking into account the cost of transportation, the unavailability of medical facilities and other processing facilities, and any compensatory absence to his or her credit and any leave in excess of 60 days on the separation date, authority may be requested from Commander, (CGPC-epm-1) to transfer the member to a district office or major command designated by the receiving district nearest the place where the member has elected to receive mileage allowance on separation; [☛ Article 4.H.1.d.](#) The member will not be retained beyond the expiration of enlistment date or period of obligated service solely for the purpose of taking leave. Proceed time is not authorized on transfer for separation; [☛ Article 4.G.10.](#)

12.b.46.b. Pre-Separation Activities

Before transferring members for separation, the unit from which transferred will accomplish the following actions:

1. Give physical examination. [☛ Article 12.B.6.](#)
2. Commanding officers shall ensure two entries are made in the member's Administrative Remarks, CG-3307, in the PDR stating whether the commanding officer recommends reenlistment and the member's eligibility for reenlistment if he or she has fewer than six months' obligated service at time of transfer. If a member is not recommended for reenlistment though average marks for Proficiency, Leadership and Conduct through 30 June 1983 or the minimum factor scores for an honorable discharge shown on the chart in [☛ Article 12.B.2.f.](#) for marks assigned after 30 June 1983 meet the requirements for honorable discharge, enter a full explanation. [☛ Article 12.B.4.d.](#)
3. When a member recommended for reenlistment elects transfer for separation under [☛ Article 12.B.46.a.](#) in lieu of reenlisting at his or her present station, make an entry in the member's PDR on an Administrative Remarks, CG-3307, as follows. [☛ Article 12.B.4.](#)

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I hereby elect to return to the nearest Coast Guard district within the United States continental limits for separation in lieu of reenlisting at my unit. I understand I then cannot reenlist unless Commander, (CGPC-epm-1) specifically authorizes me to do so and if so, Commander, (CGPC-epm-1) also will specify the rate authorized, which may be lower than my present rate, and the district to which I will be assigned (if applicable). I further understand I cannot expect to reenlist in a rate higher than pay grade E-4.

Signature

Signature of Witness

4. Note the place from which the member elects mileage allowance and enter it in the "Remarks" block of form CG-3312D in the PDR.
5. Check the PDR for correctness and completeness. ➡ [Articles 4.B.1.i., 12.B.49.a. and c.,](#) and the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).
6. Advise the member of all rights and benefits. ➡ [Article 12.B.53.f.](#)
7. Ensure the member understands when granted compensatory absence or leave en route, the unit will not retain him or her beyond the expiration of enlistment date or period of obligated service solely to take leave. ➡ [Article 12.B.46.a.](#)

12.B.46.c. Place of Separation

The place of separation is the actual location of the unit to where the member is attached on the separation date and the separation papers are delivered to the member, not necessarily the place where the separation papers are prepared. District commanders must arrange and ensure instructions are prepared describing the separation procedures for cutters or stations within their district without commanding officers or officers-in-charge whom the Commander, (CGPC-epm) or district commanders have authorized to effect separations. The district office or some intermediate unit having a commanding officer may complete a discharge certificate or release from active duty orders, PDR, and related papers and mail them to the member's unit for delivery. The Service will not transfer any member for separation solely because his or her cutter or station is under the command of an officer-in-charge. ➡ [Article 12.B.10.](#)

12.B.47. Separating Aliens

12.B.47.a. Notifications


If members who are not United States citizens are to separate within the United States or its possessions, notify the nearest district office of the Immigration and Naturalization Service, Department of Justice, of the pending separation and its prospective date. Submit the notice in sufficient time to permit the immigration authorities to take any action they deem appropriate before the date when the member separates. Request them to acknowledge the notice and do not separate the member concerned until such acknowledgment is received. Put a copy of the notice and acknowledgment in the member's PDR.

12.B.47.b. Philippine Citizens

When enlisted members who are citizens of the Republic of the Philippines are about to become eligible to separate, they shall be transferred to Integrated Support Command (ISC) Alameda, for separation regardless of the character of their discharge except for those citizens of the Republic of the Philippines who:

1. Will reenlist immediately after separation or voluntarily extend enlistment. Enter an Administrative Remarks, CG-3307, in the PDR; the member must sign it to acknowledge having been properly advised and counseled about losing entitlement to file for U.S. citizenship unless such reenlistment or extension actually occurs in the United States or its stated possessions (American Samoa, Swans Island, Guam, Puerto Rico and the Virgin Islands). If reenlisting or extending in the U.S. or its stated possessions this entry is not required.
2. For valid reasons, such as a lawful admission to the United States for permanent residence, may remain in the United States. If the member is separated at the current unit instead of being transferred to the ISC Alameda, the basis for such action will be fully documented in the member's PDR on an Administrative Remarks, CG-3307, and supported by the original(s) or certified copies of all correspondence about to the case.

12.B.47.c. Member's Acknowledgment

Before transfer to ISC Alameda for separation, a member with dependents signs a statement on an Administrative Remarks, CG-3307, to be filed in his or her PDR, certifying the provisions of  [Article 12.B.4.c.](#) have been explained and the member understands them.

12.B.48. Determining Final Average Marks

Upon separation from the Coast Guard (discharge, retirement, transfer to the Reserve, or release of a Reservist to inactive duty), the member's evaluation will be determined on Form CG-3306 according to the following instructions.

12.B.48.a. Member Evaluated on Only One Form During Enlistment

1. Consider all evaluations assigned in each factor in computing an average for that factor.
2. Add marks in each column on the CG-3306 and divide the sum by the number of marks to arrive at the average mark for each factor. Compute to one decimal place (do not round off) as illustrated in the example below.
3. Enter all final average marks on the CG-3306.

EXAMPLE							
MARKS (FROM CG-3306)							
DATE	RATE	MIL	TEAM	WORK	LDRSHP	REP CG	HUMAN
7/82	SA	Completed Recruit Training					
10/82	SA	18	18	27		20	31
1/83	SA	21	17	29		20	33
4/83	SN	20	18	28		21	32
10/83	SN	22	18	30		22	33
2/84	SN	16	11	25		12	24
9/84	SN	20	17	28		21	31
3/85	SN	22	17	29		20	28
9/85	SN	21	17	28		22	29
3/86	SN	24	18	30		22	29
Total Factor Scores		184	151	254		180	270
Number of Marks		9	9	9		9	9
Final Factor Avg. for Enlistment		20.4	16.7	28.2		20.0	30.0

12.B.48.b. Member Evaluated on More than One Form During Enlistment

Obtain a final characteristic average for members evaluated on more than one form (non-rated, petty officer, or chief petty officer) during his or her enlistment. Exercise caution in determining the correct number of characteristics to use in dividing each factor as each separate form contains a different number of characteristics.

1. Consider all evaluations assigned in each factor in computing its average.

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2. Add marks in each column on the CG-3306.
3. Divide the sum by the cumulative number of characteristics for each factor to arrive at the average characteristic mark for each factor. Compute to one decimal place (do not round off) as illustrated in the example below showing the number of characteristics within each factor for each separate evaluation form.
4. Enter all final average marks on the CG-3306.

	MIL	TEAM	WORK	LDRSHP	REP CG	HUMAN	TOTAL
Non-Rated	5	4	7		5	8	29
Petty Officer	4	4	11	7	5	7	38
CPO	4	3	11	7	5	7	37

5. The following example shows how to determine the correct number of characteristics to obtain a member's average characteristic marks over his or her enlistment. Here, the individual completed a four-year enlistment and was promoted from non-rated to PO3 during the enlistment. The numbers in parenthesis show the number of characteristics used in the individual's evaluation for the period and are taken from the chart above. The numbers are printed for example purposes only: *DO NOT ENTER THEM ON THE ACTUAL CG-3306.*

EXAMPLE							
MARKS (FROM CG-3306)							
DATE	RATE	MIL	TEAM	WORK	LDRSHP	REP CG	HUMAN
7/82	SA	Completed Recruit Training					
10/82	SA	18(5)	18(4)	27(7)		20(5)	31(8)
1/83	SA	21(5)	17(4)	29(7)		20(5)	33(8)
4/83	SN	20(5)	18(4)	28(7)		21(5)	32(8)
10/83	SN	22(5)	18(4)	30(7)		22(5)	33(8)
2/84	SN	21(5)	SUT	SUT		SUT	SUT
9/84	PO3	17(4)	15(4)	45(11)	26(7)	22(5)	28(7)
3/85	PO3	19(4)	16(4)	47(11)	28(7)	21(5)	28(7)
9/85	PO3	18(4)	17(4)	46(11)	30(7)	22(5)	30(7)
3/86	PO3	18(4)	18(4)	46(11)	29(7)	22(5)	30(7)

Total Factor Scores	174	137	398	113	170	245
Number of Char.'s	41	32	72	28	40	60
Final Char. Avg. for Enlistment. (Divide total factor score(s) by total no. of char.'s for each factor.)	4.2	4.2	4.1	4.0	4.2	4.0

12.B.48.c. Supplemental Conduct Mark

To determine the final average supplemental conduct mark awarded eligible members under Article 10.B.2.c., add the supplemental conduct marks awarded and divide the sum by the number of marks to arrive at the average mark. Compute to two decimal places (do not round off). Enter the final average mark on the CG-3306.

12.B.49. Personnel Data Record Entries at Departure

12.B.49.a. Correcting Entries

Before discharging, retiring, transferring to the Reserve, or releasing an enlisted member from active duty, check the member's Personnel Data Record (PDR) for correctness and completeness. The Personnel and Pay Procedures Manual, PPCINST M1000.2 (series) contains general instructions about PDR entries. The following guidelines govern correcting incomplete or incorrect PDR entries.

1. Correct incorrect or incomplete entries on the basis of whatever authentic information is available. Consider correspondence, official reports, or forms as authentic information.
2. If information necessary to correct a PDR is not available, do not withhold the discharge, retirement, transfer to the Reserve, or release from active duty, but effect it on the basis of the PDR entries after making substantiated corrections.
3. Whenever an entry or correction is made in a PDR under authority of this paragraph, the commanding officer or other officer authorized to sign PDR entries signs the entry or correction.
4. PDR entries or corrections, if arbitrary, unsubstantiated by authentic information, or unauthorized as such, may result in issuing a type of discharge to which the individual is not entitled.

12.B.49.b. Administrative Remarks

Makes the following entries in the PDR's on an Administrative Remarks, CG-3307.

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1. Compliance with Continued Health Care Benefit Program, COMDTINST 1760.7 (series), where applicable.
2. Show the applicable Article and the specific authorization for the member's discharge, retirement, transfer to the Reserve, or release from active duty.
3. Honorable discharge button delivered, final average of Proficiency, Leadership, and Conduct marks before 1 July 1983, final average scores after 30 June 1983, whether recommended for reenlistment, reenlistment code, effective time of discharge, if for other than expiration of enlistment. ➡ Article 12.B.43.
4. Signed copy completed in accordance with ➡ Article 12.B.4.d. when applicable, together with this information:
 - a. Completed (no.) years, (no.) months, and (no.) days of active military service. Deductible time: (no.) years, (no.) months, and (no.) days or (No deductible time).
 - b. Transferred to the Coast Guard Reserve or (released to inactive duty and retained in the Coast Guard Reserve) to complete a total of (no.) years of service from (date of enlistment) and (no.) days deductible time. (If none, so indicate.) If deductible time is involved, show the dates of such absence.

12.B.49.c. Personnel Data Record Disposal

On separation, dispose of the PDR as the Personnel, Pay, and Procedures Manual, PPCINST M1000.2 (series) prescribes.

12.B.49.d. Discharge and Reenlistment

On discharge and reenlistment, ➡ Article 1.G.12. on maintaining the working PDR when the member is discharged and reenlists within 24 hours.

12.B.49.e. Additional Documents

Send these documents to Commander, (CGPC-adm-3) in addition to those listed in the Personnel, Pay, and Procedures Manual, PPCINST M1000.2 (series) when applicable:

1. Signed copy of member's statement if discharged for unsuitability or misconduct. ➡ Articles 12.B.16. and 12.B.18.
2. Signed copy of waiver of Physical Evaluation Board. ➡ Article 12.B.15.

3. Copy of letter to next of kin when discharging minors. ➡ [Article 12.B.14.](#)
4. Signed copy of request for diagnosis or underlying cause of discharge, if made, and copy of reply thereto. ➡ [Article 12.B.15.](#)

12.B.49.f. Health Record Disposal

Promptly send the completed health record to Commander, (CGPC-adm-3).

12.B.50. Certificate of Release or Discharge from Active Duty, DD-214

➡ Certificate of Release or Discharge from Active Duty, DD Form 214, COMDTINST M1900.4 (series), for instructions on preparing and distributing Form DD-214.

12.B.51. Discharge Certificates

12.B.51.a. Qualified Recipients

A discharge certificate must be issued to each member on discharge, unless he or she is continuing on active duty. Members released from active duty who transfer to the Reserve will be issued a discharge certificate when they fulfill their military obligation.

12.b.51.b. Certificate's Reverse Side

The reverse side of all discharge certificates shall be left blank.

12.B.51.c. Replacing Certificates

On satisfactory proof a discharge certificate was lost or destroyed without the fault of the individual to whom it was issued, Commander, (CGPC-adm-3) will issue a certificate in lieu of discharge. Apply for a certificate in lieu of discharge to replace a lost or destroyed discharge certificate to Commander, (CGPC-adm-3). Only Commander, (CGPC-c) can issue a duplicate or copy of a discharge certificate.

12.B.51.d. Delegating Responsibility

The commanding officer may delegate a commissioned officer, chief warrant officer, chief petty officer, or first class petty officer as custodian responsible for discharge certificates. Those designated will ensure safekeeping, accountability, and proper issue of all discharge certificates.

12.B.52. Honorable Discharge Button

12.B.52.a. Qualified Wearers

The Honorable Discharge Button shall be issued to a member who has served more than 30 days of active duty or active duty for training and is discharged from an original Coast Guard or Coast Guard Reserve enlistment. At the member's request, a subsequent discharge button will be issued to replace a lost one. Only those individuals entitled to it may wear the discharge button on civilian clothing.

12.B.52.b. Administrative Remarks

On issuing the Honorable Discharge Button, make an appropriate entry in the member's PDR on an Administrative Remarks, CG-3307. For subsequent discharge, make an appropriate entry indicating that the button was issued previously. Make an entry when issuing a button to replace a lost one.

12.B.52.c. Delegating Responsibility

The commanding officer may delegate a commissioned officer, chief warrant or chief petty officer as custodian to ensure safe-keeping of discharge buttons.

12.B.52.d. Obtaining Supplies

District commanders and commanding officers of Headquarters units procure discharge buttons from the Baltimore Supply Center. Other commanding officers obtain their supplies from their respective district commander.

12.B.53. General Information on Separation Without Immediate Re-enlistment

12.B.53.a. Policy

Under 10 U.S.C. 1168(a), an Armed Force may not discharge or release any member from active duty until the certificate of discharge or release from active duty orders and final pay (or a substantial portion of it) are ready for delivery to the member or his or her next of kin or legal representative.

12.B.53.b. Monitoring

The unit personnel officer shall monitor pending separations to ensure no delays occur in effecting the separation on the normal enlistment expiration and issuing DD-214. 📄 Personnel, Pay and Procedures Manual, PPCINST M1000.2 (series).

12.B.53.c. Leave in Connection with Separation

At his or her discretion, a commanding officer may grant delay chargeable to annual leave in connection with any type of separation. If the member is separated early under 📄 Article 12.B.8., it is not in the Coast Guard's best interest to authorize a "constructive" separation date more than three months before the normal enlistment expiration date by combining leave with early release authority for the member's convenience. Therefore, a "constructive" release longer than three months is not authorized. Complete all documents to the fullest extent possible before the member departs from the last permanent duty station or the processing point, as applicable. On the effective separation date, make the final entries and distributes copies of documents under current instructions. Endorses release from active duty orders on CG-3312D to show the amount of leave granted. If no release from active duty orders are involved, prepares leave papers. Members on leave on the effective separation date are considered as being on active duty until 2400 hours of that date. The effective separation date will be charged as a day of leave.

12.B.53.d. Reenlistment Information

1. Since authorization to enlist in the Coast Guard (Active and Reserve) is not guaranteed after a break in service, the Service encourages members recommended for reenlistment to reenlist on active duty or enlist in the Coast Guard Reserve immediately. Commanding officers should inform members separating from active duty who do not have a remaining obligation under 10 U.S.C. 651 that they will have to apply to the nearest recruiting office if they decide in the future to enlist in the Coast Guard (Active or Reserve). The recruiting office will refer individual cases to Commander, (CGPC-CGRC), if necessary.
2. Give every member discharged and not recommended for reenlistment the following information:
 - a. Fingerprints undoubtedly will detect fraudulent enlistment in any Armed Forces branch; and
 - b. If a former member enlists by concealing any previous service and discharge, that individual will be subject to disciplinary action.

12.B.53.e. Uniforms and Civilian Clothing

1. Members entitled to retain their uniforms after discharge may wear them from where discharged to their home within three months after discharge, a period encompassing the time between the discharge date and the date he or she arrives at home. A former member may not wear the uniform after arriving home, even though the three-month period has not expired.
2. A member shall be required to surrender all outer garments and distinctive parts of the uniform on separating from active duty as stated in the individual articles of this chapter or under any of the following conditions:
 - a. The member is issued a dishonorable, bad conduct or other than honorable discharge.
 - b. The member's commanding officer has reason to believe the individual will bring discredit on the uniform.
 - c. The member's commanding officer believes his or her service record or the circumstances surrounding the discharge warrant surrendering the uniform.
3. Surrendered garments shall be disposed of through Lucky Bag sales.
4. If a member surrenders his or her uniform and owns no personal civilian clothing, an outfit of civilian clothing shall be furnished. The cost of such clothing shall not exceed the amount prescribed in the Comptroller Manual, Volume III, COMDTINST M4400.13 (series), Part V. Members transferred to effect their discharge take their uniform with them where ordered.

12.B.53.f. Veterans Rights and Benefits

1. Inform separating members of their rights and benefits as a veteran before they depart from their last duty station.
2. The more important benefits accruing to veterans under Federal legislation administered by Government agencies other than the Coast Guard are: education and training; loan guarantees; vocational rehabilitation; re-employment rights; veteran's preference in civil service; compensation and pensions; hospitalization and domiciliary care; National Service Life Insurance; Servicemen's Group Life Insurance; Veterans Group Life Insurance Unemployment Compensation; and Social Security benefits for deceased members' dependents.

3. Advise all separating members of the contents and purpose of the pamphlet "Once a Veteran," CG-143, and be sure to give a copy to each separating member.
4. Inform all separating members about the "Ex-Serviceman's Unemployment Compensation Act of 1958" (P.L. 85-848) which authorizes unemployment insurance protection to ex-service members who began their active service in the Armed Forces after 31 January 1955. The Department of Labor has prepared an informative pamphlet, available through the normal source of supply, about this Act's provisions.

12.B.53.g. Medical Benefits

1. When processing a member for separation, including retirement, ensure compliance with paragraph 3-4, Uniformed Services Health Benefits Publication, COMDTINST 6320.2 (series).
2. Ensure compliance with MAJORCARE 90, COMDTINST 1760.3 (series).

12.B.53.h. Discharge Review Board and Board to Correct Military Records

During the separation processing of any member being discharged, commanding officers will explain the purpose and scope of the Discharge Review Board and the Board for Correction of Military Records, established pursuant to 10 U.S.C. 1552 and 1553. Regulations for the Board for Correction of Military Records are found in 33 CFR 52.01 to 52.45 and the Board of Review of Discharges and Dismissals, contained in 33 CFR 51.01 to 51.10, provide:

1. The Board of Review of Discharges and Dismissals reviews a former Coast Guard member's type and nature of discharge certificate or other documentary evidence of discharge, except discharge as the sentence of a Coast Guard court-martial. The Board conducts this review at the former member's request or on his or her behalf, if deceased, by his or her surviving spouse, next of kin or legal representative concerned, or if incompetent, by his or her guardian.
2. The review determines whether under reasonable standards of the Coast Guard and naval law and discipline, the type and nature of the discharge should be changed, corrected, or modified, and if so, decides what change, correction or modification should be made.
3. The Board has no authority to revoke any discharge, reinstate any person in the Coast Guard after discharge, or recall any person to active duty.

4. Requests for review of a discharge must be submitted within 15 years of discharge on Application for Review of Discharge, DD-293. Request forms and information from the President, Boards of Review of Discharges and Dismissals, Commandant (G-WPM), 2100 2nd Street, S.W., Washington, DC 20593-0001.
5. Petitions to the Board for Correction of Military Records may pertain to any matter in the member's official record the member believes is incorrect or unfair and desires to have changed. Normally, such requests must be submitted within three years of separation.
6. Using the format below, make the following entry in the member's PDR on Administrative Remarks, CG-3307, and have the member sign it.

I have read and been counseled on the contents of Article 12.B.53., Personnel Manual, COMDTINST M1000.6 (series) about my rights on separation from the Coast Guard. I understand my rights as described there and have had all my questions answered.

12.B.53.i. Selective Service Registration

On 2 July 1980, Proclamation 4771 was signed into law requiring all males born during 1960 or later to register with the Selective Service System. Registration for those persons born during 1960 began 21 July 1980. For those born in 1961 registration began 28 July 1980 and for those born in 1962 registration began 5 January 1981. Males, including aliens and non-citizens, born on or after 1 January 1963 must register on the day they attain the 18th anniversary of their birth or on any day within 30 days before or after that date. The proclamation affects Coast Guard personnel as follows:

1. Coast Guard members on active duty when their age group is required to register are exempt from registration so long as they remain on active duty. Once separated from active duty or transferred to the Coast Guard Reserve for any reason, they must register within 30 days of separation.
2. Men in CONUS may register at any U.S. Postal Service Office. Members assigned duty in a foreign country can register at any U. S. Department of State Embassy or Consulate Office.
3. Commanding officers shall advise all separating males in the affected age groups of their obligation to register with the Selective Service System and then put this statement in Block 18 of DD-214: "ADVISED OF REQUIREMENTS FOR SELECTIVE SERVICE REGISTRATION."

12.B.53.j. Transporting Household Goods

Incident to separation or release from active duty, members (not including retirees) are allowed Government-funded transportation of household goods within six months of separation. Consult Paragraph U5360, Joint Federal Travel Regulations for more information.

12.B.54 Discharge Entitlements Summary

Directive	Mileage (1)	Transport in Kind (2)	Civilian Clothing Issue (3)	Discharge Gratuity (3)	Retain Uniform, Wear Home (3)	Recoup Reenlist- ment Bonus (3)
JFTR, U5125	X					
JFTR, Chap. 7, Part P		X				
PERSMAN, Art. 12.B.53.			X		X	
CG Pay Manual, Para. 10.D.				X		
COMDTINST 7220.33 (series)						X

1. Applies to honorable and general discharges.
2. Applies to under other than honorable conditions, bad conduct, and dishonorable discharges.
3. Applies to all types.

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12.C. Retirement

12.C.1. General Information


12.C.1.a. Introduction

This Article governs retirements from active duty for reasons other than physical disability.  [Chapter 17](#) contains policies governing disability retirements.


12.C.1.b. Effective Retirement Date

Commander (CGPC-epm) or (CGPC-opm) issues orders containing the effective retirement date, the laws governing the retirement, and travel authorization. Under 5 U.S.C. 8301, all non-disability retirements occur on the first day of a calendar month with the member usually detaching on the last day of the preceding month. If the member detaches earlier, the time between detachment and the effective retirement date is charged as annual leave.

12.C.1.c. Effective Date for Travel and Transportation Entitlements

The effective date to determine entitlement for Travel and Transportation Allowances (authorized weight of household goods, eligibility for dependents' travel, etc.) is the last day of active duty. Refer to  [Exhibit 4.G.1.](#) and the Joint Federal Travel Regulations, Appendix A, for further clarification.

12.C.1.d. Leave in Connection with Retirement


1. At their discretion leave-granting authorities may grant earned or advance leave accompanying retirement orders under  [Chapter 7](#); however, the member's effective retirement date will not be delayed for the specific purpose of allowing him or her to use earned leave. Relief for the retired member normally coincides with the scheduled retirement date, not the date the member departs on leave.
2. If authorities grant leave in connection with retirement, complete the member's records before he or she departs on leave, except for the final date entries, and endorse retirement orders to show the amount of leave granted. The retirement processing station subsequently completes all documents in the Service member's official record on the effective retirement date and transmits the member's copies of these documents to him or her.

12.C.1.e. Retirement Processing Point


1. Voluntary Retirements in Other than a Foreign Country. If a member is stationed in CONUS or at a non-restricted duty station in a state, commonwealth or United States possession outside CONUS when he or she is scheduled to retire, he or she normally is not transferred to a new permanent duty station before retirement, unless such transfer is in the Coast Guard's best interest. Since the processing station normally is the member's last permanent duty station, the Government incurs no additional expense in processing the retirement. For personal

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convenience under provisions of the Joint Federal Travel Regulations, Vol. 1, U5130, a member may request Commander (CGPC-epm) or (CGPC-opm) to authorize (rather than direct) retirement processing at a shore unit convenient to his or her designated home of selection, provided:

- a. The member travels to the retirement processing station in leave status. (Proceed time is not authorized.  [Article 4.G.10.](#))
- b. The retirement orders designate the home of selection before departure.
- c. The member understands he or she will incur no additional expense on the Government's behalf and he or she acknowledges the following statement on retirement orders:

This authorization is issued with the understanding you will not receive reimbursement for expenses in connection with it. If you do not desire to bear this expense, consider this authorization canceled.

- d. If approved, the member detaches in time to report to the processing station between 12 and 15 working days before the effective retirement date and the member's orders shall be so endorsed.
 - e. Commanding officers and PERSRUs shall ensure all retirement related documentation processing required in accordance with the  Personnel Pay and Procedures Manual, HRSICINST M1000.2(series), is completed and signed prior to members departing their retirement processing point.
2. Voluntary Retirement of a Member Stationed in a Foreign Country. A member who elects to retire, would be stationed in a foreign country at effective retirement date, does not intend to designate the overseas area as home of selection, and does not desire to retire at the overseas duty station shall return to CONUS for retirement processing. The member will be ordered to report for temporary duty and processing to the area or district office, as appropriate, nearest to the debarkation port as determined by Joint Federal Travel Regulations; and then proceed to his or her home of selection. The permanent change of station is from the overseas duty station to the home of selection. The Joint Federal Travel Regulations prescribe the member's, dependents', and household effects' transportation allowances from the overseas duty station to the processing point and ultimately the member's home of selection.
 3. Involuntary Retirement of a Member Stationed Outside CONUS. If a member normally would be stationed outside CONUS at involuntary retirement from active duty, does not intend to designate the overseas area as his or her home of selection, and does not desire to retire at the overseas duty station, he or she will be ordered on a permanent change of station to a CONUS area or district office, as appropriate, within either the Atlantic or Pacific Area, depending on where the member serves. He or she advises Commander (CGPC-epm) or (CGPC-opm) of the desired district for retirement processing approximately six months before the involuntary retirement date. Retirement allowances cover his or her retirement processing station to home of selection.

12.C.1.f. Administrative Absence in Connection with Retirement

1. Under the provisions of [☞ Article 7.A.10.](#), retiring members are eligible for an administrative absence not to exceed 20 days (if separated INCONUS), or 30 days (if separated OCONUS), to facilitate relocation. This administrative absence in conjunction with retirement is not an entitlement; however, it may be granted at the discretion of the member's command provided it does not adversely affect mission performance. This duty is intended for activities related to transition or relocation, e.g., job interviews, not to extend leave periods.
2. The following conditions and restrictions apply to permissive temporary duty in conjunction with retirement.
 - a. It may be authorized for consecutive days, including weekends and holidays.
 - b. It may be taken in increments, not to exceed the totals dictated in [☞ Article 12.C.1.f.1.](#)
 - c. Liberty or a period of combined leave and liberty is not authorized between consecutive periods of administrative absence in conjunction with retirement.
 - d. It may be used in conjunction with leave enroute to home, with no intent to return to the last permanent duty station, including leave enroute to a retirement processing point as defined in [☞ Article 12.C.1.d.](#)




12.C.2. Service Credit to Qualify for Retirement

The service below is creditable for retirement. Service creditable for retirement is not necessarily all service creditable for computing basic or retirement pay.

1. Commissioned, Chief Warrant, and Warrant Officers. Active service in the Coast Guard, Navy, Army, Air Force, or Marine Corps, or in their Reserve components, including active duty for training.
2. Enlisted Members. Active service in the Coast Guard, Army, Navy, Air Force, Marine Corps, and all active service in their various Reserve components, including active duty for training and active Federal service in the National Guard and Air National Guard.
3. Other Creditable Service for Retirement. Under certain conditions, active civilian Government service is creditable for retirement for officers appointed constructors and personnel of the former Life Saving Service, Lighthouse Service, Bureau of Marine Inspection and Navigation, and Bureau of Customs who were commissioned, appointed, or enlisted in the Regular Coast Guard.
4. Service time while attending the U.S. Coast Guard Academy is creditable only for enlisted members. Service time while attending the U.S. Coast Guard Academy may not be counted in computing, for any purpose, the length of service of an officer.

12.C.3. Pre-Retirement Physical Examination

12.C.3.a. General

A physical examination is required before a non-disability retirement. An active duty Uniformed Services medical and dental officer should perform both officers' and enlisted members' retirement physical, but contract physicians and dentists may do so. Members shall ensure they schedule physical examinations at least six months before their retirement date so defects found may be corrected before retirement. Physical examinations for retirement purposes are valid for 12 months. If the examination uncovers a physical or mental impairment that is identified in the  Medical Manual, COMDTINST M6000.1 (series), as unfitting, the member may be eligible for a physical disability retirement, subject to the policies set forth in the  Physical Disability Evaluation System, COMDTINST M1850.2 (series), paragraph 2.C. Not all physical or mental impairments qualify a member a member for a disability retirement. Nor do all members benefit from a disability retirement. For members who joined the Uniformed Services after 25 September 1975, the tax exemption of disability retired pay is limited. See  [Article 12.C.16.b.4.](#)

12.C.3.b. Procedure if Physical Examination Finds Member Is Unfit for Duty

1. If a physical examination pursuant to retirement discovers an impairment which is identified as unfitting in the Medical Manual, COMDTINST M6000.1 (series), an initial medical board will be convened only if the provisions of the Physical Disability Evaluation System, COMDTINST M1850.2 (series), paragraph 2.C, are satisfied. If a medical board is initiated, the member's commanding officer shall immediately notify Commander (CGPC-epm) or (CGPC-opm), as appropriate, and (CGPC-adm) who may hold the member's retirement orders in abeyance, if appropriate, pending resolution of the physical disability evaluation process.
2. A member's physical disability or unfitness for continued service does not preclude him or her from normal service retirement in lieu of physical disability processing, if so desired. As soon as possible after the examination, the member shall elect in writing whether he or she desires processing for physical disability retirement or compliance with normal service retirement orders. The member's command immediately notifies Commander (CGPC-epm) or (CGPC-opm), as appropriate, and Commander (CGPC-adm) by message to ensure they can delay the original retirement request or orders if necessary. Previously issued retirement orders normally will not be canceled to process a member through the disability evaluation system; instead, they will be held in abeyance. If the member elects to comply with normal service retirement orders, he or she shall submit a signed statement to that effect in letter form to Commander (CGPC-epm) or (CGPC-opm).
3. If the final action of the physical disability evaluation board is:
 - a. Retirement for physical disability, Commander (CGPC-epm) or (CGPC-opm) issues orders for such retirement.

- b. No physical disability **retirement**, the member's original retirement orders remain in force or are amended to effect the service retirement normally within 60 days after the end of the month in which the board determined the member's final physical qualification.
4. Members who meet all qualifications for a physical disability retirement but also qualify for retirement for other reasons may request in writing that Commander (CGPC-epm) or (CGPC-opm) take no action on the physical disability evaluation board's record of proceedings and allow them to retire for reasons other than physical disability.

12.C.4. Retirement Counseling and Ceremony

12.C.4.a. Pre-Retirement Seminars

Retirement benefits have become more complicated in the past few years. Merely presenting prospective retirees with a packet of helpful pamphlets and manuals shortly before retirement will not answer their many questions about this transition. Well-planned pre-retirement seminars can help bridge this gap. At least annually, district commanders, commanders of maintenance and logistics commands, and commanding officers of major Headquarters units must plan and host a one or two-day pre-retirement seminar. Headquarters units collocated with area or district offices should hold joint seminars to reduce expense and duplication of effort. Commanding officers should encourage active duty members with 18 or more years of service creditable towards retirement and their spouses, career counselors, and other interested members, including Reservists and retirees, to attend these seminars. Commanding officers should encourage using other Services' pre-retirement programs if space allows Coast Guard personnel to attend. **Figure 12.C.4.1.** contains additional guidance on pre-retirement seminars.

12.C.4.b. Retirement Ceremony

1. A ceremony designed to express the Coast Guard's appreciation for the many years of faithful, honorable service normally shall precede a member's transfer to the retirement rolls. A ceremony should include a suitable assembly from the command. The commanding officer or in his or her absence the executive officer should cite awards, commendations, and other career highlights and make such remarks in bidding farewell as appropriate in the circumstances. If possible, commands should schedule these ceremonies to coincide with required personnel inspections. Rescheduling these inspections within limitations is considered appropriate.
2. Commands may consider the following elements appropriate:
 - a. Holding a suitable ceremony as described above at which the commanding officer should present:
 - (1) Retirement Certificate.
 - (2) Retirement Button.

(3) United States Flag

(4) Good Conduct Award, if applicable.

(5) Certificate of Appreciation for spouse, if applicable.

(6) Retirement Orders.

(7) Awards, in the form of plaques presented in recognition of the member's professional achievements. Appropriated funds may be used for this purpose.

(8) An appropriate token of appreciation from the command in the form of a retirement plaque. Area, district, maintenance and logistics commanders, and Headquarters unit commanding officers are authorized to procure suitable plaques for personnel assigned to their staffs and subordinate commands using non-appropriated funds. Using appropriated funds for this purpose is forbidden. Presenting this command tribute to the retiree is optional at the discretion of the command and the retiree.

b. Inviting the family, special guests, and shipmates, as the retiring member desires.

c. Taking pictures of the ceremony to present to the member and distributing press releases to the appropriate media.

d. Holding a brief social gathering after the ceremony with simple refreshments for the honored member(s) and guests.

e. Providing transportation for guests within the confines of the military installation if required.

3. The retirement ceremony should occur at the last permanent duty station. The command should ascertain each member's preference in the matter before the scheduled retirement date and consider his or her desired timing and particulars of the ceremony but should not forego the ceremony except in extraordinary circumstances.

Figure 12.C.4.1. Suggested Retirement Planning Guidance

PRE-RETIREMENT SEMINAR SAMPLE SEMINAR ANNOUNCEMENT

Commander, [insert name], [Number] Coast Guard District is hosting a one-day pre-retirement seminar on [insert date] from 0830 to 1530 at [insert location, address]. Prospective retirees, retirees, and their spouses should find this seminar helpful in planning their future. Unit career counselors are welcome and encouraged to attend. The morning session will include a comprehensive overview of [insert two or three topics from the agenda; special features, e.g., financial planning exercises, etc., and confirmed speakers with special expertise, e.g., bankers, accountants, etc.]. All attendees will receive portfolios of vital retirement planning information. Those who plan to attend can make reservations by calling [insert telephone number], writing [insert address], or contacting by E-mail at [insert E-mail address]. Agenda attached.

NOTE: Plan to use a direct-mailed invitation as a primary means of inviting prospective attendees to the seminar.

Figure 12.C.4.1. Suggested Retirement Planning Guidance

SEMINAR COORDINATOR GUIDANCE SHEET	
As Seminar coordinator, District (p) or maintenance and logistics commands should follow these steps in planning their event. Obtain primary assistance from a Career Information Specialist, Command Master Chief (CMC) , or other career counselor.	
1.	Request seminar participants from the major benefit programs listed as follows: <ol style="list-style-type: none"> Veterans Administration. Social Security Administration. CHAMPUS/Medicare Civil Service Commission. Coast Guard Retired Affairs Programs, Survivor Benefit Plan, Identification Cards (RAPIDS) (DEERS), Decedent Affairs, Retired Newsletter, Thrift Savings Plan. Transportation Officer. DoD and PHS Medical Facilities. Legal Assistance (ensure restrictions on civilian employment after retirement are a part of this presentation). Space Available Travel. Resume Preparation. State Employment Officials. Retired Pay. Retiree Organizations.
2.	Prepare an agenda, arrange meeting and parking facilities, collect reservations, coordinate Coast Guard speakers, and provide retirement packages.
3.	At least 30 days before the Seminar, distribute agenda or program seminar throughout the District/Headquarters unit area; a sample of a Seminar announcement follows.
4.	Coordinate issuing orders to prospective retirees wishing to attend who are stationed outside reasonable commuting distance of the Seminar location.
PUBLICATION LIST FOR RETIREMENT COUNSELORS	
<p>Coast Guard Personnel Manual, COMDTINST M1000.6 (series)</p> <p>Coast Guard Retiree Newsletter, HRSIC (RAS)</p> <p>“Federal Benefits for Veterans and Dependents,” Government Printing Office. Telephone: (202) 512-1800</p> <p>Physical Disability Evaluation System, COMDTINST M1850.2 (series)</p> <p>Pre-Separation Guide, NAVPERS 15616</p> <p>“Retired Military Almanac” (office copies only), P.O. Box 4144, Falls Church, VA 22044; Telephone: (703) 532-1631</p> <p>“SBP Made Easy,” 0503-LP-219-9400, Naval Publications/Forms Center (or call The Retired Officers Association (TROA), 201 North Washington Street, Alexandria, VA 22314. Telephone: (703) 549-2311)</p> <p>Thrift Savings Plan (www.TSP.gov)</p> <p>Your Guide in Retirement, HRSICINST M1800.4</p> <p>“Your Social Security” (FREE to military in quantity from the Social Security Administration)</p>	

12.C.5. Statutory Authority to Retire Commissioned Officers (Except Commissioned Warrant Officers)

12.C.5.a. Voluntary Retirements

1. 20-Year Retirement. Any Regular commissioned officer (except a commissioned warrant officer) who has completed 20 years' active service, at least 10 of which in commissioned service, may apply and, at the Secretary's discretion, retire from active service (14 U.S.C. 291).
2. 30-Year Retirement. Any Regular commissioned officer (except a commissioned warrant officer) who has completed 30 years' service may apply and, at the Commandant's discretion, retire from active service (14 U.S.C. 292).

12.C.5.b. Compulsory Retirement at Age 62

Any Regular commissioned officer, except a commissioned warrant officer, who reaches the age of 62 shall retire from active service (14 U.S.C. 293).

12.C.5.c. Involuntary Retirement of Flag Officers

1. Unless he or she retires under some other legal provision or remains on active duty under subparagraph 2 below, a rear admiral retires on 30 June of the promotion year in which he or she completes a total of 36 years of active commissioned service, including service creditable for retirement purposes under 14 U.S.C. 432 (14 U.S.C. 290).
2. With the Secretary's approval, the Commandant may annually retain on active duty from promotion year to promotion year any rear admiral who otherwise would retire under subparagraph 1 above. Unless he or she retires under some other provision of law, a rear admiral so retained retires on 30 June of the promotion year in which no action takes place to further retain him or her under this provision (14 U.S.C. 290).
3. 14 U.S.C. 47 contains authority for the Commandant to retire.
4. 14 U.S.C. 51 contains authority for officers serving in the grade of vice admiral to retire.

12.C.5.d. Retirement of Regular Captains

1. If he or she does not retire earlier, each regular Coast Guard captain who is not carried on an approved list of officers selected for promotion to rear admiral (lower half) retires on 30 June of the promotion year in which he or she or any captain junior to him or her on the Active Duty Promotion List (ADPL) who has not lost numbers or precedence completes 30 years of active commissioned Coast Guard service (14 U.S.C. 288(a)). An officer who advanced in precedence on the ADPL because he or she was promoted from below the zone is not subject to earlier involuntary retirement under this Article than if he or she had not been selected from below the zone.
2. An officer retired under this paragraph must receive as retired pay at least 50 percent of the basic pay on which his or her retired pay was computed (14 U.S.C. 288(b)).

12.C.5.e. Retirement of Commanders and Lieutenant Commanders for Failure of Selection for Promotion

Each Regular Coast Guard officer serving as commander or lieutenant commander who fails of selection for promotion to captain or commander, respectively, for the second time shall:

1. If eligible for retirement under any law on 30 June of the promotion year in which the second failure of selection occurs, retire on that date; or
2. If ineligible for retirement on 30 June of the promotion year in which the second failure of selection occurs, remain on active duty and retire on the last day of the month in which he or she completes 20 years of active service, unless earlier removed under another provision of law (14 U.S.C. 285).

12.C.6. Statutory Authority for Commissioned Warrant Officers' Retirement

12.C.6.a. 20-Year Retirement

The Commandant may retire a commissioned warrant officer who has at least 20 years of active service at his or her request.

12.C.6.b. Involuntary Retirement After 30 Years' Active Service

1. A permanent regular commissioned warrant officer who has at least 30 years of active service retires 60 days after he or she completes that service (10 U.S.C. 1305).
2. The Commandant may defer the retirement of any commissioned warrant officer for up to four months under subparagraph 1 above if, due to unavoidable circumstances, evaluation of his or her physical condition and determination of his or her entitlement to retirement or separation for physical disability require hospitalization or medical observation that cannot be completed before the date when he or she would be required to retire (10 U.S.C. 1305).
3. To satisfy a specific Service need, the Commandant also may defer retirement under subparagraph 1 above of a commissioned warrant officer with his or her consent and if a board of officers so recommends for up to 60 days after the officer turns 62 years old (10 U.S.C. 1305). Chief warrant officers who want to continue on active duty beyond 30 years may apply to Commander (CGPC-opm-1) between nine and 12 months before the mandatory retirement date. Extensions may be granted for any period up to a maximum of four years for a single request. Subsequent extensions may be granted based on additional requests. Chief warrant officers so extended and selected for promotion are required to serve two years in the new grade. A chief warrant officer serving on an extension may apply for voluntary retirement when he or she meets all eligibility requirements listed in [Article 12.C.9](#). Extension requests will be kept on file pending the identification of specific Service needs. Whenever a need arises, a board of officers screens

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eligible applicants and selects the best-qualified candidate. If an extension is not approved by six months before the mandatory retirement date, the request will be removed from the file and the member retires on the mandatory retirement date. A member may withdraw a request from consideration at any time. Submit extension requests in a letter format with the following information:

- a. The reason to request the extension.
- b. The officer's statement indicating he or she is willing to serve in any assignment or geographic area.
- c. Desired length of extension.
- d. A concise recommendation by the member's chain of command.

12.C.6.c. Compulsory Retirement at Age 62

1. Any permanent regular commissioned warrant officer who has at least 20 years of active service and is at least 62 years of age must retire on the first day of the month that occurs 60 days after his or her 62nd birthday (10 U.S.C. 1251 and 1263).
2. The Commandant may defer any commissioned warrant officer's retirement for up to four months under subparagraph 1 above if, due to unavoidable circumstances, evaluation of his or her physical condition and determination of his or her entitlement to retirement or separation for physical disability require hospitalization or medical observation that cannot be completed before his or her mandatory retirement date (10 U.S.C. 1263).

12.C.7. Retirement or Release to Inactive Duty of Reserve Program Administrators

12.C.7.a. Retention on Active Duty

1. A Reserve Program Administrator (RPA) who does not accept an active duty promotion shall be released to inactive duty on the last day of the month in which the promotion would have been effective unless he or she is eligible for and requests retirement on the first day of the following month.
2. While RPAs remain eligible for consideration and promotion under 14 U.S.C. 21, no RPA may accept a promotion to a higher grade than that to which he or she is selected by a board convened in accordance with 14 U.S.C. 276 and continue on extended active duty. If an RPA accepts a promotion resulting from a selection board convened under 14 U.S.C. 21, despite the provisions of 10 U.S.C. 1006(e), he or she shall be released to inactive duty on the first day of the month after the date he or she accepts the higher grade. If he or she declines a promotion resulting from a board convened under 14 U.S.C. 21 continue on active duty, he or she will not prejudice later acceptance. An appointment to the higher grade will be tendered after release to inactive duty if he or she is otherwise qualified.

12.C.7.b. Failure of Selection for Promotion or Continuation

1. Captains. RPA captains eligible for active duty retirement and not recommended for continuation on active duty by a board convened for that purpose shall be released to inactive duty on 30 June of the promotion year in which the board convened unless they otherwise request retirement. RPA captains ineligible for active duty retirement under any provision of law and not recommended for continuation by a board convened for that purpose remain on active duty for release to inactive duty or retirement, if they request, on the last day of the month in which they complete 20 years of active service, unless removed earlier under another provision of law.
2. Commanders and Lieutenant Commanders. RPAs serving as commanders or lieutenant commanders who fail of selection to the next higher grade for the second time and:
 - a. Have completed 20 years or more active service creditable for retirement shall be retired not later than 30 June of the promotion year in which the second failure occurs, or
 - b. Ineligible for retirement on 30 June of the promotion year in which the second failure shall be released to inactive duty or retired, if they request, on the last day of the month in which they complete 20 years of active service, unless earlier removed under another provision of the law.
3. Lieutenants. RPAs serving as lieutenant who fail of selection for promotion to lieutenant commander for the second time are:
 - a. Honorably discharged or released to inactive duty not later than 30 June of the promotion year in which the second selection failure occurs, or
 - b. Honorably discharged or released to inactive duty at an earlier date at their request without loss of benefits than if they had been discharged on the date specified under a. above, or
 - c. If eligible for retirement under any law on the date specified for release or discharge in this section, retired on that date, or
 - d. If completing at least 18 years of service for retirement on the date specified for discharge or release in subparagraph 3.a. above, they shall be released to inactive duty, if they request, or be retained on active duty and retired on the last day of the month in which they complete 20 years of service.
4. Lieutenant (Junior Grade). RPAs serving as lieutenants (junior grade) who fail of selection for promotion to lieutenant for the second time are:
 - a. Honorably discharged or released to inactive duty not later than 30 June of the promotion year in which the second failure of selection occurs, or

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- b. At their request, honorably discharged or released to inactive duty at an earlier date without loss of benefits than if they had been discharged on the date specified under a. above, or
- c. If eligible to retire under any law on the date specified for release or discharge in this section, they retire on that date at their request.

12.C.7.c. Time of Separation

If under this Article the separation (discharge, retirement or release to inactive duty) of any officer would be required less than six months after approval of the report of the board which considered but did not select him or her:

1. For promotion for the second time or continuation, the officer's separation shall be deferred until the last day of the sixth calendar month after such approval; or,
2. For promotion for the third (or more) time, the officer's retirement shall be effected on the last day of the month in which the officer completes 20 years of active service, unless earlier removed under another provision of law.

12.C.7.d. Separation Pay Entitlement

An RPA lieutenant or lieutenant (junior grade) released from active duty under these provisions is entitled to separation pay under 10 U.S.C. 1174, provided he or she has served six or more **continuous** years of active service immediately before the release date. **Periods of active duty that have breaks of 30 days or less are considered continuous service when determining eligibility for Separation Pay.**

12.C.7.e. Completing 30 Years' Commissioned Service

RPAs serving as captain or below shall be released to inactive duty on the last day of the month in which they complete 30 years of commissioned service unless they request retirement effective on the first day of the following month. Unless earlier released under other provisions of law or regulations, RPAs ineligible to retire under 10 U.S.C. 6323 continue on extended active duty until the last day of the month in which they become eligible to retire. They shall then be released to inactive duty unless they request retirement on the first day of the next month.

12.C.7.f. Grade on Retirement

1. Unless entitled to a higher grade, an RPA who retires under 10 U.S.C. 6323 retires in the highest permanent or temporary grade in which he or she satisfactorily served on extended active duty, at the Secretary's determination. If the Secretary determines the officer did not serve satisfactorily in his or her highest temporary grade, he or she retires in the next lower grade in which he or she served, but not lower than his or her permanent grade.
2. An RPA who is on an approved list of officers selected for promotion to the next higher grade who retires for physical disability under 10 U.S.C. 61 before being promoted, retires in the grade to which he or she was selected for promotion.

12.C.7.g. Mandatory Retirement of Running Mates

RPA captains shall be released to inactive duty unless they are eligible for and request retirement on or before the date (30 June) their running mates retire on completing 30 years' commissioned service under 14 U.S.C. 288 provisions. Unless earlier released under other provisions of law or regulations, an RPA ineligible to retire under 10 U.S.C. 6323 continues on extended active duty until the last day of the month in which he or she becomes eligible to retire. The officer shall then be released to inactive duty or retired at his or her request.

12.C.7.h. Separation for Cause

An RPA may be separated for cause in the same manner as a regular Coast Guard officer under [Article 12.A.15](#). Reserve membership on boards convened for this purpose shall comply with 33 CFR 8.1110.

12.C.8. Permanent Commissioned Teaching Staff Members' Retirement

12.C.8.a. Voluntary Retirement

1. 20-Year Retirement. Any professor, associate professor, assistant professor, or instructor in the Coast Guard who has completed 20 years' active service, at least 10 years of which in active commissioned service, may apply and, at the Secretary's discretion, retire from active service with the retired pay of the grade he or she holds on retirement (14 U.S.C. 190 and 14 U.S.C. 291).
2. 30-Year Retirement. Any Coast Guard professor, associate professor, assistant professor, or instructor who has completed 30 years' service may apply and, at the Commandant's discretion, retire from active service with the retired pay of the grade he or she holds on retirement (14 U.S.C. 190 and 14 U.S.C. 292).

12.C.8.b. Involuntary Retirement

Unless they retire earlier, Permanent Commissioned Teaching Staff (PCTS) members shall retire on 30 June of the promotion year in which they complete 30 years' active commissioned service.

1. If the member requests and the Superintendent favorably recommends the member's retention as in the Academy's best interests, CGPC-opm may approve a member's continued service on active duty for additional one- or two-year periods up to a total of 35 years of commissioned service. A member so retained, unless retired under some other provision, retires when that extension expires unless action is taken to further retain the member under this paragraph. The Superintendent should make his or her recommendation under this paragraph at least one year before the member's scheduled retirement date.
2. If not earlier retired, PCTS members retire on 30 June of the promotion year in which they complete 35 years' active commissioned service. If the Superintendent favorably recommends a member's retention as necessary to fulfill a compelling

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Service need, Commander (CGPC-opm) may delay a member's involuntary retirement under this paragraph for up to two years. Unless they retire under some other provision, these members retire when such extension expires unless action is taken to further retain them under this paragraph. The Superintendent should make his or her recommendation under this paragraph at least one year before the member's scheduled retirement date.

12.C.8.c. Compulsory Retirement at Age 64

Any professor, associate professor, assistant professor, or instructor in the Coast Guard who reaches the age of 64 shall retire from active service with the retired pay of the grade he or she held on retirement (14 U.S.C. 190).

12.C.8.d. Retaining Captains


The provisions of 14 USC 288 on captains' mandatory retirement and 14 USC 289 on captain continuation boards do not apply to PCTS members.

12.C.9. Procedures for Officers' Retirement

12.C.9.a. Request for Voluntary Retirement

Commander, (CGPC-opm) has final approval or disapproval authority of voluntary retirement requests. In approving a request for voluntary retirement, Commander, (CGPC-opm) may specify an effective date other than that requested if a change is necessary in the Service's best interests to provide time for orderly relief or, in some cases, complete the current or an ordered tour of duty. Commander (CGPC-opm) will consider requests based on the Service's overall needs and the merits of an individual case **using** the following guidelines:

1. An officer should meet the following criteria when requesting voluntary retirement:
 - a. Must complete two years time in grade by the date of retirement. **(A scheduled promotion will not be effected if an officer has an approved voluntary retirement on file at the time their name would otherwise appear on the respective Officer Promotion Authorization Listing (OPAL) unless the officer requests to have the letter pulled.)**
 - b. Will complete at least one year at his or her duty station INCONUS, or if assigned outside the contiguous 48 states at his or her own request will complete a two-year tour of duty **(if the member has been assigned to more than one unit in the same OUTCONUS area, he or she must have at least 2 years in that area and one year at their current unit)**.
 - c. Submit a request between one year and six months before the desired retirement date **using the format in paragraph 9 below. Officers desiring a retirement date sooner than 6 months out, may so request; however, the request must be accompanied by a command endorsement stating that the command can, and is willing to, support a vacant billet. Such requests will be approved based upon Service needs.**

2. An officer in receipt of PCS orders who will complete at least two years in grade by the specified retirement date in this paragraph who wishes to retire in lieu of executing those orders must request retirement within 15 days of either the order issue date or the date time group of the general message announcing assignment panel results, whichever applies. Commander (CGPC-opm) normally approves these requests effective the first day of the month after the detachment date of the PCS orders or by 1 August after an assignment panel results general message. An officer requesting retirement must comply with  [Article 12.C.3](#), as soon as practical to ensure completing the physical examination before retirement.
3. All other requests for voluntary retirement should fully describe the circumstances which justify special consideration. Commander (CGPC-opm) will consider these requests on their merits **and weigh them against the needs of the Service.**
4. **If the officer wants an acknowledged of receipt, he or she must indicate so in the letter and provide a valid e-mail address if they do not have one in the Coast Guard global address list.**
5. Officers approaching statutory age are not required to apply for retirement.
6. The request must include the zip code of the intended home of selection for cost estimating purposes only; it is not binding and does not affect the member's entitlement to choose a home of selection up to one year after retirement.
7. **Requests for voluntary retirement from captains shall be submitted to CGPC-opm-1 via their commanding officer (actual commanding officer or the appropriate officer with jurisdiction (e.g. Area Chief of Operations for 378 CO's, MLC Commander for ISC CO's, etc.) and cognizant flag officer. For captains assigned to Coast Guard Headquarters, assistant commandants or directors should endorse requests for separation as appropriate. (NOTE: For captains assigned to Coast Guard Headquarters, requests need not be routed through Headquarters Support Command.)**
8. **Requests for voluntary retirement from commanders and below shall be submitted to Commander (CGPC-opm-1) via their commanding officer (actual commanding officer or the appropriate officer with jurisdiction. For officers assigned to Coast Guard Headquarters, assistant commandants, directors, or division chiefs should endorse requests for separation as appropriate. (NOTE: For commanders and below, assigned to Coast Guard Headquarters, requests need not be routed through Headquarters Support Command.)**
9. **Use the following example in a standard Coast Guard letter when requesting voluntary retirement:**

<p>From: [Member] To: Commander, Coast Guard Personnel Command (opm-1) Via: [Commanding Officer (and cognizant flag officer for Captains)]</p> <p>Subj: REQUEST FOR VOLUNTARY RETIREMENT</p> <p>Ref: (a) CG Personnel Manual, COMDTINST M1000.6A, Article 12.C.9.a.</p> <p>1. I request retirement on the first day of [month/year], or as soon thereafter as possible.</p> <p>2. I understand if this request is approved, I will be ineligible for promotion if already selected for the next higher grade. I further understand that a copy of my voluntary retirement orders will be included in my permanent record and will be visible to any future selection board.</p> <p>3. For cost estimating purposes only, I elect [zip code] as my Home of Selection (HOS) for retirement. I understand I am not bound to this election and I am entitled to elect a retirement HOS within one year from my first day of retirement per U5310, JFTR.</p> <p>4. I understand if I request to cancel this retirement, Commander (CGPC-opm) will consider cancellation solely on the needs of the Service.</p> <p style="text-align: center;"><signature></p>
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10. The immediate commanding officer should include in the endorsement:

- a. A statement recommending approval or disapproval. If disapproval or conditional approval, the full reasons thereof.
- b. A statement, as needed, concerning a replacement or the impact of gapping the job position.
- c. Any other useful information to assist the Officer Personnel Management staff in making a final decision.

NOTE: (1) Where an unconditional endorsement of "forwarded, recommending approval" is determined, the CO may merely endorse the via line with their signature and date; (2) Additional "via" addressees may be included if considered appropriate by the CO; (3) Facsimile copies of signed requests with signed endorsement should be transmitted only if requested by Commander (CGPC-opm).

11. Officers faced with mandatory retirement, for any reason, need not request retirement. However, an officer may request voluntary retirement to occur on the scheduled mandatory retirement date if they desire their retirement be classified as "voluntary" vice "involuntary."


12. Requests from flag officers shall be submitted to Commander (CGPC-opm-1) via their Coast Guard superior (i.e. Area Commander or Assistant Commandant, etc.) and via the Vice Commandant.

12.C.9.b. Scheduling Retirement Orders

1. Commander (CGPC-opm) issues retirement orders under the procedures listed in [☞ Article 12.C.1.](#) **and mails them via the member's command shortly after approval of a request, but no later than 120 days prior to retirement. If orders processing must be delayed (i.e. awaiting funding authority for requests approved into the next Fiscal Year) notification of Commander (CGPC-opm) approval will be provided prior to issuing orders.**
2. Commander, (CGPC-opm) will approve retirement dates as close to the requested date as possible to meet Service needs. (See [☞ Article 12.C.9.a.](#))
3. When sufficient appropriated funds are not available to permit approving all requests received, Commander, (CGPC-opm) will give priority to officers who have the most active service.
4. Commander (CGPC-opm-1) will issue retirement orders to officers approaching statutory retirement age approximately six months before the first of the month after their 62nd birthday. If the officer has not received such notice 120 days before the statutory date, he or she should inform Commander (CGPC-opm-1) immediately.
5. Commander (CGPC-opm-1) will issue retirement orders to officers retiring for failure of selection for promotion approximately six months before the scheduled retirement date. If the officer has not received **orders** 120 days before that date, he or she should inform Commander (CGPC-opm-1) immediately.
6. **Commander (CGPC-opm-1) will issue retirement orders for Commissioned Warrant Officers approaching 30 years active service approximately 6 months prior to mandatory retirement. For those CWO's selected for active service beyond 30 years per [☞ Article 12.C.6.b.3](#), Commander (CGPC-opm-1) will defer issuing retirement orders until approximately 6 months prior to their authorized termination date. If the officer has not received orders 120 days before their retirement date, he or she should inform Commander (CGPC-opm-1) immediately.**

12.C.9.c. Canceling or Delaying Retirement Orders

1. **The decision to submit a retirement letter is a serious one because the projected separation triggers transfer and promotion actions that, if reversed, could cause hardship to other officers. Therefore,** Commander (CGPC-opm) may approve a request to cancel or delay a scheduled retirement based on Service needs or a member's hardship situation similar or equal to those listed in [☞ Article 12.D.3.](#) The Service does not consider a change in civilian employment plans a hardship.
2. In canceling a scheduled retirement, the officer must agree to remain on active duty for two years after the date the request is approved. The cancellation request should indicate this agreement.

3. Whenever possible, submit a request to cancel or delay a scheduled retirement at least three months before the retirement date through the chain of command; the request should contain the reasons for it.
4. If during the retirement processing period, a member is diagnosed with serious disease or suffers from serious injuries neither ratable by the Physical Disability Evaluation System nor disqualifying for separation, he or she may request to delay a non-mandatory retirement for a reasonable amount of time to address the problem. **Comply with  Physical Disability Evaluation System, COMDTINST M1850.2 (series), Paragraph 2.C.2.b.** Submit the request to Commander (CGPC-opm) and support it by **attaching** all relevant medical documents. The command should endorse the request. A member **should** schedule a physical examination at least six months before the retirement date to allow enough time to treat such remediable medical problems. If a member adheres to this schedule, physicians can properly treat most non-disqualifying remediable medical problems and it will not be necessary to delay the scheduled retirement date. Commander (CGPC-opm) will not consider delaying retirement for a member who obviously neglected to obtain timely medical treatment.

12.C.10. Statutory Authority to Retire Enlisted Members

12.C.10.a. Voluntary Retirement

1. 20-Year Retirement. On application and at the Commandant's discretion, any enlisted member who has completed 20 years of service may retire from active service (14 U.S.C. 355).
2. 30-Year Retirement. On application and at the Commandant's discretion, any enlisted member who has completed 30 years of service may retire from active service (14 U.S.C. 354).

12.C.10.b. Compulsory Retirement

Any enlisted member who reaches the age of 62 shall retire from active service (14 U.S.C. 353).

12.C.10.c. Involuntary Retirement

1. Authority. 14 U.S.C. 357 allows the Commandant to review the records of enlisted members who have 20 or more years of active military service to consider retiring these members involuntarily.
2. Convening the Board. A Coast Guard Enlisted Personnel Board shall convene when and where the Commander (CGPC-epm) directs to recommend for retirement enlisted members who have 20 or more years of active service and whom the Board determines, at its discretion, should retire. A Board convened under this section shall consist of at least three commissioned officers, at least one of whom is a commander or higher, **and two enlisted members, of equal or higher pay grade as that of the member being considered**. No ensuing annual Board may include as a member any **person** who was a member of the preceding annual Board.

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3. Submitting Recommendations. Commanding officers shall recommend to Commander (CGPC-epm-1) any enlisted member under their command who has completed 20 years of active service and should be considered for involuntary retirement. District units' commanding officers shall send the recommendations through the district commanders. Commanding officers should recommend a member if his or her:
 - a. Conduct is marginal.
 - b. Financial irresponsibility will discredit the Coast Guard and its personnel through voluminous correspondence with creditors.
 - c. Leadership, performance of duty, physical stamina, etc., are now below the standards expected or required for their rate. Specific reasons and supporting documents, including a copy of closed-out Form CG-3306 showing average marks, must be included for each individual.
4. Procedure. Each member under the Board's review shall be:
 - a. Notified in writing of the reasons he or she is being considered for involuntary retirement.
 - b. Provided counsel certified under 10 U.S.C. 827(b) to help prepare a rebuttal and represent him or her before the Board.
 - c. Allowed 60 days from the date on which counsel is provided to submit any items in rebuttal.
 - d. Allowed full access to and furnished with copies of records under consideration for involuntary retirement before submitting the rebuttal.
 - e. Allowed to appear before the Board and present witnesses or documents pertinent to the review.
5. Acting on Board Recommendations. After the Board completes its determination, each enlisted member being considered for involuntary retirement shall be:
 - a. Notified by certified mail of the reasons he or she was considered for involuntary retirement.
 - b. Provided counsel certified under 10 U.S.C. 827(b) to help prepare a rebuttal.
 - c. Allowed 60 days from the date counsel is provided to submit any matters in rebuttal.
 - d. Allowed full access to and furnished with copies of records relevant to consideration for involuntary retirement before the member submits the rebuttal.
6. Commandant Approval. If the Commandant approves the Board's recommendation, the member shall be notified of the Commandant's decision and retired within 90 days of the notification.

12.C.10.d. Reduction in Force Separations

When the Secretary orders a reduction in force, Commander (CGPC-epm) may separate enlisted members involuntarily from service without convening the Board described in [Article 12.C.10.c.](#)

12.C.11. Procedures to Retire Enlisted Members

12.C.11.a. Requests for Voluntary Retirements

1. An enlisted member's non-disability retirement occurs at the discretion of Commander (CGPC-epm). Therefore, an enlisted member's **request** will be considered on the basis of overall Service needs and the merits of each individual case. As a general rule, the provisions listed here govern; however, an enlisted member does not automatically accrue a vested right to retire when he or she chooses independently of Service needs merely by completing 20 years of active service.
2. An enlisted member may submit a request for voluntary 20-year retirement to Commander (CGPC-epm-1) if the member:
 - a. Has completed 18 years of active service, and
 - b. Requests an effective date of retirement which provides:
 - (1) Completing at least one year of duty at current duty station if assigned INCONUS.
 - (2) Completing at least two years at current duty station if assigned OUTCONUS on a with-dependents tour. **(if the member has been assigned to more than one unit in the same OUTCONUS area, he or she must have at least 2 years in that area and one year at their current unit).**
 - (3) Completing the prescribed tour length or at least two years, whichever is less, if assigned OUTCONUS on a without-dependents tour.
 - (4) Completing the two-year obligated service (OBLISERV) requirement incurred for advancement to pay grade E-7, E-8, or E-9. [Articles 1.G.15.a.2.](#), [4.C.3.](#), [5.C.25.e.](#) and [12.B.12.b.2.](#)
3. **Retire in Lieu of Executing Orders (RILO)**
 - a. If a member **receives** PCS orders **during an assignment year**, is otherwise eligible to retire by his/her departure date, and wishes to retire in lieu of executing orders (RILO), he/she must so advise Commander (CGPC-epm) by message within **15** days of receiving the PCS orders **in the CGHRMS Airport Terminal, and simultaneously** submit a request to retire with an effective date of retirement **on or before 1 August of that assignment year**. Commander (CGPC-epm) will consider such **requests and assign an effective date of retirement** based on overall Service needs; however, in certain instances, the member may be required to comply with orders.


- b. **Commanding officers may request that a member's effective date of retirement be delayed based on needs of the Service (i.e., on-site relief needed for a critical billet). Commander (CGPC-epm) will consider such requests based on the overall needs of the Service.**
 - c. Commander (CGPC-epm) will not cancel a retirement so scheduled except to allow disability processing.
4. If it appears a request for retirement or cancellation of transfer orders is warranted even though it does not meet [Article 12.C.11.a.2.](#) requirements, the member should send the request and full supporting information pertaining to it to Commander (CGPC-epm) for consideration. Such a request will be approved only in those rare instances when in the judgment of Commander (CGPC-epm), departing from subparagraph 2.'s normal rules is justified. If the request is disapproved, Commander (CGPC-epm) will indicate when the member may resubmit a retirement request. Commander (CGPC-epm) will cancel a request approved under this paragraph only for the reasons listed in [Article 12.C.11.c.](#)
 5. Submit retirement requests to Commander (CGPC-epm-1) not more than two years or less than six months before the desired retirement date. **Members desiring a retirement date sooner than 6 months out, may so request; however, the request must be accompanied by a command endorsement stating that the command can, and is willing to, support a vacant billet. Such requests will be approved based upon Service needs.** They will be acknowledged by either approval or disapproval. Include the following statements in all requests:

From: Member
 To: Commander, Coast Guard Personnel Command (CGPC-epm-1)
 Via: Commanding Officer, [Unit]
 Subj: RETIREMENT REQUEST
 Ref: Personnel Manual, COMDTINST M1000.6 (series), Article 12.C.11.

1. I request retirement on the first day of [month, year], or as soon thereafter as possible.
2. I understand if this request is approved, I will no longer be eligible for advancement and Servicewide competition, or my name will be removed from present eligibility lists, as appropriate.
3. I further understand if I request to cancel this retirement, Commander, (CGPC-epm) will consider this request based solely on Service needs. If such cancellation is approved, it will not entitle me to reinstatement in the current Servicewide competition or on the existing eligibility list. Further advancement would require recompetition.

 Member's Signature


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6. The request must include the zip code of the intended home of selection for cost estimating purposes only; it is not binding, nor does it affect the member's right to choose a home of selection up to one year after the retirement date.
7. Area, district, maintenance and logistics, and unit commanding officers will include the following comments in endorsements to all retirement requests:
 - a. Specific approval or disapproval of the basic request; if disapproval, the full reason for disapproval.
 - b. Whether the member meets the requirements listed in  [Article 12.C.11.a.2.](#)
8. Enlisted members who have completed 29.5 or more years of active duty should submit requests for 30-year retirement to Commander (CGPC-epm-1).
9. Enlisted members approaching statutory age are not required to apply for retirement.


12.C.11.b. Scheduling Retirement Orders

1. Final approval of a retirement rests with Commander (CGPC-epm-1) who may specify an effective date later than that requested if, in the best interest of the Service, a delay is necessary to provide orderly relief or, in some cases, completion of the current or ordered tour of duty.
2. If sufficient appropriated funds are not available to permit approving all requests received, Commander (CGPC-epm) will select retirees in order of highest total service computed to the retirement date for which selections are being made.
3. Commander (CGPC-epm-1) will issue retirement orders for enlisted members approaching statutory age approximately six months before the effective retirement date.

12.C.11.c. Canceling or Delaying Retirement Orders

1. The decision to submit a retirement letter is a serious one because the projected separation triggers transfer and advancement actions that, if reversed, cause hardship to other members. Therefore, Commander (CGPC-epm-1) normally will not honor a request to cancel or delay an already approved retirement date unless a specific Service need exists and only under these conditions:
 - a. A Service need exists.
 - b. A member has a hardship situation similar or equivalent to those listed in  [Article 12.D.3.](#) The Service does not consider a change in civilian employment plans a hardship.

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- c. The retirement physical examination finds the member “not fit for duty” and he or she requests in writing to cancel his or her Service retirement orders and processing for a physical disability retirement; or
 - d. **If** during the retirement processing period, the member is diagnosed with serious diseases or suffering from serious injuries not ratable by the Physical Disability Evaluation System nor disqualifying for separation, **he or she** may request to delay a non-mandatory retirement for a reasonable amount of time to address the problem. Comply with  Physical Disability Evaluation System, COMDTINST M1850.2 (series), Paragraph 2.C.2.b. Submit the request to Commander, (CGPC-epm); support it by **attaching** all relevant medical documents. The member’s command, MLC (k), and Commandant (G-WKH) must endorse the request. A member should schedule a physical examination at least six months before retirement to allow enough time to treat remediable medical problems. If the member does so, physicians can properly treat most non-disqualifying remediable medical problems and it will not be necessary to delay the scheduled retirement date. Commander (CGPC-epm) will not consider delaying retirement for a member who obviously neglected to obtain prompt medical treatment.
2. In canceling a scheduled retirement, the member must agree to remain on active duty for two years from the date the request is approved and indicate this agreement in the basic cancellation request. If a member’s enlistment expires within two years of the request date, he or she must extend his or her enlistment for obligated service within 30 days after Commander (CGPC-epm-1) approves the cancellation.
 3. Submit a request to cancel or delay a scheduled retirement at least three months before the retirement date if at all possible. State the reasons for the request and submit it through the chain of command.


12.C.12. through 12.C.14. VACANT

12.C.15. Grade or Rate in Which Retired

12.C.15.a. General Authority

Every commissioned officer, chief warrant officer, or enlisted member who retires under any provision of 14 U.S.C. retires with the permanent grade or rate he or she held at the time of retirement unless entitled to retire with a higher grade or rate under any provision of this title or any other law (14 U.S.C. 421).

12.C.15.b. Commissioned Officers Other than Commissioned Warrant Officers

1. Any commissioned officer, except a chief warrant officer, who retires under any provision of 14 U.S.C. retires from active service with the highest grade he or she held **(if different from their permanent grade)** for at least six months **(this does not alter the two-year time in grade requirement of  Article 12.C.9.a.1. for requesting**

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voluntary retirement) while on active duty in which, as the Commandant determines, the member performed duty satisfactorily, with retired pay of the grade at which retired (14 U.S.C. 334 (a)).

2. If any commissioned officer, except a commissioned warrant officer, is on an approved list of officers selected for promotion to the next higher grade and retires for physical disability under [Chapter 17](#) provisions before being promoted, he or she retires in the grade to which selected for promotion (14 U.S.C. 294).

12.C.15.c. Chief Warrant Officers

1. Any chief warrant officer retiring under any provision of 10 U.S.C. 580, 1263, 1293, or 1305 retires from active service with the highest commissioned grade above chief warrant officer, W-4, he or she held for at least six months (**this does not alter the two-year time in grade requirement of [Article 12.C.9.a.1](#) for requesting voluntary retirement**) on active duty in which, as the Commandant determines, he or she performed duty satisfactorily, with retired pay of the grade at which retired. However, if the highest grade's rate of pay is less than that of the warrant grade with which the officer would otherwise retire under [Article 12.C.15.g.2.](#) below, the retired pay is based on the higher rate of pay (14 U.S.C. 334(b)).
2. Unless entitled to a higher retired grade under some other legal provision, a chief warrant officer retires, as the Commandant determines, in the permanent chief warrant grade, if any, he or she held the day before the day he or she retired or in any higher warrant officer grade in which he or she served on active duty satisfactorily, as determined by the Commandant, for more than 30 days (10 U.S.C. 1371).

12.C.15.d. Retired Officer Promoted After Recall to Active Duty

If a Regular officer on the retired list recalled to active duty is promoted during that duty to a higher grade under an appointment ([Article 5.A.8.](#)) and satisfactorily performs duty under that appointment, on relief from active duty he or she shall be promoted on the retired list to the highest grade held while on such active duty (14 U.S.C. 333).

12.C.15.e. Enlisted Members



1. Any enlisted member who retires under any provision of 14 U.S.C. retires from active service with the highest grade or rate he or she held while on active duty in which, as Commander (CGPC-epm-1) or the Commandant, as appropriate, determines he or she performed duty satisfactorily, but not lower than his or her permanent grade or rate with retired pay of the grade or rate at which retired (14 U.S.C. 362).
2. In cases where a member has been reduced in grade by a court-martial, the highest grade satisfactorily held shall be no higher than the grade to which the member has been reduced by the court-martial, unless the member subsequently advances or is again reduced. Where a member subsequently advances or is again reduced following a reduction by a court-martial, the highest grade satisfactorily held shall be no higher than the pay grade to which the member advanced or was reduced to following the court-martial.

12.C.15.f. Grade on Retiring for Physical Disability

Unless entitled to a higher grade under some other provision of law, any Coast Guard member who retires for physical disability or is placed on the temporary disability retired list (TDRL) under 10 U.S.C. 61 is entitled to the grade or rate equal to the highest of:

1. The grade or rate in which the member served on the date his or her name was placed on the TDRL or, if his or her name was not carried on that list, on the date when the member retires.
2. The highest grade or rate in which the member served satisfactorily, as the Commandant determines.
3. The permanent regular or Reserve grade or rate to which the member would have been promoted had it not been for the physical disability for which he or she retired and which was found to exist as a result of the member's physical examination for promotion.
4. The temporary grade to which the member would have been promoted had it not been for the physical disability for which he or she retired, if eligibility for that promotion was based on cumulative years of service or years of service in grade and the disability was discovered as a result of his or her physical examination for promotion (10 U.S.C. 1372).






12.C.15.g. Procedure to Certify Highest Grade or Rate on Retirement

1. Commander (CGPC-epm) or (CGPC-opm) will administratively review the record of each individual scheduled to retire to determine the highest grade or rate in which his or her Coast Guard service is satisfactory.
2. Service will be considered satisfactory and the member will be certified to the highest grade if he or she served on active duty for at least six months in a commissioned officer grade or 31 days in a chief warrant officer or enlisted grade and his or her official records indicate overall satisfactory performance for the entire period served in the higher grade.
3. When an officer reverts from a higher grade due to approval of a board which recommended such reversion, his or her service in the higher grade will not be considered satisfactory unless he or she was later promoted again to the higher grade and meets the requirements of  Article 12.C.15.g.2. above.
4. If the administrative review described in  Article 12.C.15.g.1. does not result in a determination of satisfactory service, the determination will be referred to a special board of officers who will review the member's official records and make its recommendation to the Commandant. The board acts in an advisory capacity and its recommendation shall be considered as such. The Commandant makes the final determination of satisfactory service.

12.C.16. Computing Retired Pay

Commanding officers should encourage members applying for retirement to become familiar with the following helpful information.


12.C.16.a. Electing Retirement for Service

1. **For Members Who First Became a Member of a Uniformed Service on or Before 7 September 1980:** If a member retires for service, determine his or her pay by multiplying two and one-half percent (2.5%) times the number of years and full months of active service to get a “multiplier”; multiply that by the member’s basic pay on the retirement date (for chief warrant officers, on the day before retirement) to derive gross monthly retired pay.  [Figure 12.C.16.1](#). Members who had previous drilling Reserve service are entitled to an additional day of active duty for each Reserve point earned. An enlisted member may be eligible for 10 percent additional pay for extraordinary heroism or good conduct.  [Article 12.C.16.d](#). After retirement, the individual may obtain a disability rating from the Department of Veterans Affairs (VA) and receive disability compensation from that agency. If so, the member must waive an amount of the Coast Guard retired pay equal to the disability compensation.
2. **For Members Who First Became a Member of a Uniformed Service on or After 8 September 1980 and before 1 August 1986 and Members Who First Became a Member of a Uniformed Service After 1 August 1986 Who Elected NOT to Receive the Career Status Bonus :** If a member elects to retire for service, determine his or her pay by multiplying two and one-half percent (2.5%) times the number of years and full months of active service to get a "multiplier"; multiply that by his or her high 36-months' average of basic pay, whether or not consecutive, to derive gross monthly retired pay.  [Figure 12.C.16.1](#). Members who had previous drilling Reserve service are entitled to an additional day of active duty for each Reserve point earned. After retirement, the individual may obtain a disability rating from the VA and receive disability compensation from that agency. If so, the member must waive an amount of the Coast Guard retired pay equal to the disability compensation.
3. **For Members Who First Became a Member of a Uniformed Service on or After 1 August 1986 and Who Did Elect to Receive the Career Status Bonus:** If a member elects to retire for service, determine pay by multiplying two percent (2%) times the number of years of active service (up to 20 years) and three and one-half percent (3.5%) for each year and full month of active service after 20 years; multiply that times the high 36-months' average of basic pay, whether or not consecutive, to derive gross monthly retired pay.  [Figure 12.C.16.2](#). Members who had previous drilling Reserve service are entitled to an additional day of active duty for each Reserve point earned. After retirement, the individual may obtain a disability rating from the VA and receive disability compensation from that agency. If so, the member must waive an amount of the Coast Guard retired pay equal to the disability compensation.
4. Members who retire for service who have served satisfactorily in a higher permanent or temporary grade or rate, as Commander, (CGPC-opm-1), (CGPC-epm-1), or the Commandant, as appropriate, determines, compute their retired pay on that grade’s or rate’s basic pay.  [Article 12.C.15](#).

5. Determining which retired pay formula described in 1., 2., and 3. above applies depends on **the member's "Date of Initial Entry into Military Service" (DIEMS). A member's DIEMS is the earliest date they joined a Uniformed Service either through the Delayed Entry Program, a service academy, their enlistment, induction or appointment. Service Academy cadets and persons in the Delayed Entry Program are considered "members of the Uniformed Service" while they serve in such status. Neither Delayed Entry nor Service Academy time are creditable for computing any member's retired pay multiplier, except that Service Academy time is creditable for enlisted personnel. Service time while attending a Service Academy may not be counted in computing, for any purpose, the length of service of an officer.**

12.C.16.b. Physical Disability Retirement


A member with at least eight years' service who **receives** a physical disability retirement may receive retired pay based on monthly basic pay (entered service on or before 7 September 1980) or high 36-month average (entered service on or after 8 September 1980) at retirement based on the following formulas:

1. Multiply by the Percentage of Disability. The retired pay of a member placed on the temporary disability retired list is at least 50 percent of the pay on which compensation is made, or
2. Multiply Number of Years by two and one-half percent (2.5%) and full months of service by one-twelfth of 2.5 percent to obtain the "multiplier"; multiply that by the monthly basic pay or high 36-months' average to derive gross monthly retired pay. An enlisted member may qualify for 10 percent additional pay for extraordinary heroism. An enlisted member with 20 years' or more service may qualify for 10 percent additional pay for good conduct.  [Article 12.C.16.d.](#)
3. For a Member Who First Joined a Uniformed Service on or Before 24 September 1975: That part of the retired pay of a member retired for physical disability based on the percentage of disability is not considered as income for Federal Income Tax.
4. For a Member Who First Joined a Uniformed Service on or After 25 September 1975: That part of the retired pay of a member retired for physical disability based on the percentage of disability is considered as income for Federal Income Tax unless caused by a combat-related injury, defined as personal injury or sickness incurred in any of the following circumstances:
 - a. As a direct result of armed conflict.
 - b. While engaged in extra hazardous service.
 - c. Under conditions simulating war.
 - d. Caused by an instrument of war.

12.C.16.c. Submitting Election

If a physical disability retirement is directed, Commanding Officer, Human Resources Information and Service Center (HRSIC) sends the necessary forms to use in electing the method on which to compute retired pay.

12.C.16.d. Extra Retired Pay for Enlisted Personnel

1. Heroism. Any Regular enlisted member voluntarily or involuntarily retired for 20 years' service who was cited for extraordinary heroism in the line of duty, determined by the Secretary's final, conclusive determination, is entitled to have his or her retired pay increased by an amount equal to 10 percent of the active duty pay and permanent additions thereto of the grade or rate at which retired (14 U.S.C. 357).
2. Good Conduct. Any Regular enlisted member serving in the Coast Guard on or before 6 September 1963 who retires for 20 years' service and whose average Service marks in conduct are at least 97.5 percent of maximum (i.e., 3.9) is entitled to have retired pay increased by an amount equal to 10 percent of the active duty pay and permanent additions thereto of the grade or rate at which retired. After 30 June 1983, the commanding officer will assign an eligible member a supplemental conduct mark on the 4.0 scale under  Article 10.B.2.c. in addition to the conduct mark assigned using the enlisted marking system implemented 1 July 1983. An enlisted member retired for physical disability on or after 10 August 1956 who has completed 20 years' active service and elects to use the length-of-service formula to compute retired pay if otherwise qualified is also entitled to this 10 percent additional pay for good conduct (14 U.S.C. 357).

12.C.16.e. Maximum Retired Pay

The maximum retired pay of any member is 75 percent of the basic pay of the grade or rate in which placed on the retired list.

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Multipliers for Members Who First Became a Member of a Uniformed Service on or Before 31 July 1986 or for Members Who First Became a Member of a Uniformed Service after 31 July 1986, but did not elect the 15 Year Career Status Bonus (REDUX) Plan.

(Effective Table Date: 1 October 1983)

Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%
20	0	50	23	0	57.50	26	0	65	29	0	72.50
	1	50.20		1	57.70		1	65.20		1	72.70
	2	50.43		2	57.93		2	65.43		2	72.93
	3	50.63		3	58.13		3	65.63		3	73.13
	4	50.83		4	58.33		4	65.83		4	73.33
	5	51.05		5	58.55		5	66.05		5	73.55
	6	51.25		6	58.75		6	66.25		6	73.75
	7	51.45		7	58.95		7	66.45		7	73.95
	8	51.68		8	59.18		8	66.68		8	74.18
	9	51.88		9	59.38		9	66.88		9	74.38
	10	52.08		10	59.58		10	67.08		10	74.58
	11	52.30		11	59.80		11	67.30		11	74.80

Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%
21	0	52.50	24	0	60	27	0	67.50	30	0	75
	1	52.70		1	60.20		1	67.70			
	2	52.93		2	60.43		2	67.93			
	3	53.13		3	60.63		3	68.13			
	4	53.33		4	60.83		4	68.33			
	5	53.55		5	61.05		5	68.55			
	6	53.75		6	61.25		6	68.75			
	7	53.95		7	61.45		7	68.95			
	8	54.18		8	61.68		8	69.18			
	9	54.38		9	61.88		9	69.38			
	10	54.58		10	62.08		10	69.58			
	11	54.80		11	62.30		11	69.80			

Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%
22	0	55	25	0	62.50	28	0	70
	1	55.20		1	62.70		1	70.20
	2	55.43		2	62.93		2	70.43
	3	55.63		3	63.13		3	70.63
	4	55.83		4	63.33		4	70.83
	5	56.05		5	63.55		5	71.05
	6	56.25		6	63.75		6	71.25
	7	56.45		7	63.95		7	71.45
	8	56.68		8	64.18		8	71.68
	9	56.88		9	64.38		9	71.88
	10	57.08		10	64.58		10	72.08
	11	57.30		11	64.80		11	72.30

FIGURE 12.C.16.1.

COAST GUARD PERSONNEL MANUAL CHAPTER 12.C.

Multipliers for Members Who First Became a Member of a Uniformed Service on or After 1 August 1986 and did elected to receive the 15 Year Career Status Bonus (REDUX) Plan. (Effective Table Date: 1 August 1986)											
Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%
20	0	40	23	0	50.50	26	0	61	29	0	71.50
	1	40.29		1	50.79		1	61.29		1	71.79
	2	40.58		2	51.08		2	61.58		2	72.08
	3	40.88		3	51.38		3	61.88		3	72.38
	4	41.17		4	51.67		4	62.17		4	72.67
	5	41.46		5	51.96		5	62.46		5	72.96
	6	41.75		6	52.25		6	62.75		6	73.25
	7	42.04		7	52.54		7	63.04		7	73.54
	8	42.34		8	52.84		8	63.34		8	73.84
	9	42.63		9	53.13		9	63.63		9	74.13
	10	42.92		10	53.42		10	63.92		10	74.42
	11	43.21		11	53.71		11	64.21		11	74.71

Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%
21	0	43.50	24	0	54	27	0	64.50	30	0	75
	1	43.79		1	54.29		1	64.79			
	2	44.08		2	54.58		2	65.08			
	3	44.38		3	54.88		3	65.38			
	4	44.67		4	55.17		4	65.67			
	5	44.96		5	55.46		5	65.96			
	6	45.25		6	55.75		6	66.25			
	7	45.54		7	56.04		7	66.54			
	8	45.84		8	56.34		8	66.84			
	9	46.13		9	56.63		9	67.13			
	10	46.42		10	56.92		10	67.42			
	11	46.71		11	57.21		11	67.71			

Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%
22	0	47	25	0	57.50	28	0	68
	1	47.29		1	57.79		1	68.29
	2	47.58		2	58.08		2	68.58
	3	47.88		3	58.38		3	68.88
	4	48.17		4	58.67		4	69.17
	5	48.46		5	58.96		5	69.46
	6	48.75		6	59.25		6	69.75
	7	49.04		7	59.54		7	70.04
	8	49.34		8	59.84		8	70.34
	9	49.63		9	60.13		9	70.63
	10	49.92		10	60.42		10	70.92
	11	50.21		11	60.71		11	71.21

FIGURE 12.C.16.2.

12.C.17. Retired Members' Privileges

Retired members not on active duty are entitled to wear the prescribed uniform of the grade or rate held on the retired list when wearing the uniform is appropriate. They may enjoy the privileges of the commissary stores, ship's service stores, small stores, officer clubs as appropriate to their grade, and armed services exchanges subject to the availability of facilities. Subject to the availability of space and facilities and staff capabilities, retired members and their dependents may receive medical care in Uniformed Services medical facilities (e.g., the Public Health Service, Army, Air Force, and Navy) and the benefits of the Uniformed Service Health Benefits Program as applicable. Retired members and dependents may receive one round trip per year on a space-available basis on an MSC vessel if they pay the applicable MSC charges for space-available travel. Retired members and their accompanying dependents are eligible to travel on scheduled **AMC** flights on a stand-by basis only. Retired members may use their military titles in connection with commercial enterprises.

12.C.18. Retired Members' Obligations

12.C.18.a. Regulatory Requirements

Retired members are subject to Coast Guard and Uniform Code of Military Justice regulations. They may be ordered to active duty in time of war or national emergency at the Secretary's discretion, but may be so ordered in time of peace only with their consent.


12.C.18.b. Wearing the Uniform

Retired members are forbidden to wear the uniform while engaged in non-military, personal, civilian, or business enterprises. Retired members not on active duty residing or visiting in a foreign country shall not wear the uniform except when attending ceremonies or social functions by formal invitation at which the terms of the invitation or the regulation or customs of the country require wearing it.


12.C.18.c. Notification of Address

All retired members must inform the Commanding Officer, Human Resources Service and Information Center, HRSIC (RAS) of their address.


12.C.18.d. Clearing Published Materials

Retired members are not required to submit for review materials they have prepared for publication. However, if the topic touches upon a national security issue, it is advisable for the author to submit it for clearance. Consult the  Public Affairs Manual, COMDTINST M5728.2(series), or contact Commandant (G-IPA) for guidance.

12.C.18.e. Foreign Visits

Retired members desiring to visit foreign countries and places outside the United States continental limits shall comply with instructions listed in  [Chapter 16](#).

12.C.18.f. Foreign Employment

Retired members contemplating employment by a foreign government or a company owned by a foreign government **must** submit a written request to Commandant (G-WPM), for retired regular members, or Commandant (G-WTR) for retired Reservists, **before accepting such employment. The request process and information required are described in**  [Chapter 16.L](#).

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12.D. DEPENDENCY OR HARDSHIP DISCHARGES

12.D.1. DISCUSSION

Commander, (CGPC-epm-1) or (CGPC-opm-1) may authorize or direct enlisted members' and officers' discharge for dependency or hardship. Commanding officers will inform members who desire to request a discharge for dependency or hardship reasons of this information, which explains policies and procedures. Commanding officers should clearly explain to each member submitting a request is not assurance the Commandant will approve the discharge. Each request of this nature is carefully and sympathetically considered and decided on its individual merits.

12.D.2. POLICIES GOVERNING DISCHARGE

1. In general, the following circumstances or reasons do not qualify for discharge:
 - a. Purely financial or business reasons.
 - b. Personal convenience.
 - c. The member is under charges or in confinement.
 - d. The member requires in-patient medical treatment.
 - e. A member's wife's pregnancy is not in itself a circumstance for which the Commandant will authorize discharge.
2. Commander, (CGPC-epm-1) or (CGPC-opm-1) will not disapprove a discharge under this article solely because:
 - a. The member's services are needed in assigned duties, unless certain circumstances prevail, such as war, in which Service needs would override a bona fide hardship.
 - b. The member is indebted to the Government, a non-appropriated fund activity, or an individual.
3. Commander, (CGPC-epm-1) or (CGPC-opm-1) may direct discharge when an undue or genuine dependency or hardship exists, the dependency or hardship is not of a temporary nature, and the conditions have arisen or been aggravated excessively since the member entered the Service. The member must have made every reasonable effort to alleviate the hardship by applying for basic allowance for quarters and voluntary contributions which have proved inadequate. Examples of meritorious cases are those in which the evidence shows either:

- a. Due to the death or disability of a member of an individual's family, the Service member must support or care for a family member(s); or
 - b. The member's family is undergoing hardship more severe than the normal hardships dependents or families of Coast Guard members encounter.
 - c. The hardship is long-term or permanent and discharge will eliminate or materially alleviate the condition.
 - d. No means of alleviation other than discharge are readily available.
4. Undue hardship does not necessarily exist solely because of altered present or expected income or because the member is separated from his or her family and must suffer the inconveniences normally incident to a sea-going military service.

12.D.3. APPLYING FOR DISCHARGE

After reviewing this Article's contents (commanding officers must assist enlisted personnel by explaining the Commandant's policy), a member may apply in writing for discharge for dependency or hardship to Commander, (CGPC-epm) or (CGPC-opm) through the commanding officer. Commanding officers should give sympathetic consideration and assistance in preparing this request. At least two affidavits substantiating the dependency or hardship claim and establishing the dependency or hardship occurred after entry into the Service must accompany such requests. When practical the dependent concerned should provide one such affidavit. The request should contain the following additional information:

1. Reason in full for request.
2. Dependent's complete home address and occupation.
3. Names and addresses of persons familiar with the situation.
4. Statement of marital status and date of marriage.
5. Detailed amounts of financial and any other means of contribution to dependent(s).
6. Names, ages, occupations, and monthly income of the individual's family members, if any; the reasons why they cannot care for or support the individual's family; and a statement no family members have been omitted.
7. If dependency results from the death of an individual's family member that occurred after the Service member entered the Coast Guard, the member must

furnish a death certificate or other valid proof of death. If dependency or hardship results from the disability of an individual's family member occurring after entry into the Service, the member shall furnish a physician's certificate showing specifically when such disability occurred and its nature.

12.D.4. COMMANDING OFFICER'S ACTIONS

The commanding officer shall interview the member to elicit any further information and ensure he or she has furnished the information this Article requires. The commanding officer's endorsement shall include a definite recommendation for approval or disapproval. Enlisted members' endorsement shall also state the status of any disciplinary action pending and list Service schools attended.


12.D.5. SAFEGUARDING PRIVACY

Commands shall safeguard any information about the private affairs of Coast Guard members or their families and not disclose it or its source to persons except in the course of their official duties.

12.D.6. SOCIAL SERVICE AGENCIES' REPORTS

Commanding officers shall not request information and reports from the American Red Cross or other social service or welfare agencies about a member's "home conditions" when a member submits or desires to submit a request for discharge for dependency or hardship. If the commanding officer receives a Red Cross or other agency report relevant to the case, he or she should send it to Commander, (CGPC-epm-1) or (CGPC-opm-1) for consideration. Commander, (CGPC-epm) or (CGPC-opm) will request information in individual cases from the Red Cross or other agencies if such action is advisable.

12.D.7. TYPE OF DISCHARGE

Commander, (CGPC-epm) or (CGPC-opm) shall grant a member separated for dependency or hardship an honorable or general discharge, as appropriate under  [Articles 12.A.2.](#) or [12.B.2.f.](#)

12.D.8. INVOLUNTARY DISCHARGE

If a commanding officer recommends an involuntary discharge under this Article for an enlisted member whose service record indicates issuance of a general discharge, he or she shall afford the member an opportunity to consult with legal counsel before

initiating such action. Commander, (CGPC-epm-1) may be require the member to surrender his or her uniform under  [Article 12.B.53.e.](#)

12.D.9. RELEASE TO RESERVE

Members separated for hardship or dependency will not be released to the Reserve.



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12.E. Homosexual Conduct

12.E.1. Introduction

The policies contained within this chapter are based upon 10 U.S.C. 654 and encompass the concepts commonly referred to as “Don’t Ask, Don’t Tell.” The phrase “Don’t Pursue, Don’t Harass,” has been subsequently added to better describe its intent. A brief description of these concepts follows:

1. **Don’t Ask.** Commanders, commanding officers and officers-in-charge or appointed inquiry officials shall not ask, and members shall not be required to reveal, their sexual orientation. Additionally, all members of the Coast Guard are expected to adhere to this requirement.
2. **Don’t Tell.** Members shall not be required to reveal their sexual orientation. However, if a member states that he or she is a homosexual or bisexual, or makes some other statement that indicates a propensity or intent to engage in homosexual acts, he or she may be subject to discharge.
3. **Don’t Pursue.** Inquiries regarding sexual orientation may not be initiated unless credible information is discovered. Even then, only certain individuals are authorized to initiate inquiries and must stay within expressed guidelines. (See  Article 12.E.7. regarding Command inquiries.)
4. **Don’t Harass.** The Coast Guard does not tolerate harassment or mistreatment of anyone, whether they are service members, civilian employees, Auxiliarists or members of the public, for alleged or perceived sexual orientation, or any other reason. Harassment can take different forms, ranging from “innocent” comments and jokes causing a hostile climate, to direct verbal or physical abuse. Further guidance regarding harassment can be found in the  Coast Guard Equal Opportunity Program Manual, COMDTINST M5350.4 (series).

12.E.1.a. Policy

1. Sexual orientation is considered a personal, private matter and is not a bar to Service entry or continued service unless manifested by homosexual conduct. Homosexual conduct, as defined in  Article 12.E.1.b., is grounds for separation from the Coast Guard.
2. At no time will a member, or prospective member, be asked or required to reveal whether he or she is heterosexual, homosexual, or bisexual. Nor will he or she be asked or required to reveal whether he or she has engaged in homosexual conduct, unless independent evidence is received indicating he or she engaged in such conduct or he or she volunteers a statement that he or she is a homosexual, bisexual, or words to that effect.
3. The general policy on homosexual conduct applies to all active and Reserve officers and enlisted members, **and all accession points.**

4. The policy covers five functional areas: accession, separation, criminal investigations, personnel security investigations, and military training.

12.E.1.b. Definitions

1. Bisexual. A person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual and heterosexual acts.
2. Homosexual. A person, regardless of sex, who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts.
3. Homosexual Act.
 - a. Any bodily contact, actively undertaken or passively permitted, between members of the same sex for the purpose of satisfying sexual desires, and
 - b. Any bodily contact **that** a reasonable person would understand to demonstrate a propensity or intent to engage in an act described in subparagraph (a) above.
4. Homosexual Conduct. A homosexual act, a statement by the member that demonstrates a propensity or intent to engage in homosexual acts, or a homosexual marriage or attempted marriage.
5. Propensity. The likelihood a person engages in or will engage in homosexual acts, beyond a mere abstract preference or desire to engage in homosexual acts.
6. Separation Authority. An official authorized by the Commandant to take final action on a specified type of separation. The authority for most separations resulting from homosexual conduct is Commander (CGPC-opm), (CGPC-epm), or **(CGPC-rpm)**.
7. Sexual Orientation. An abstract sexual preference for persons of a particular sex, distinct from a propensity or intent to engage in sexual acts.
8. Statement a Member Is a Homosexual or Bisexual or Words to That Effect. Language or behavior **that** a reasonable person would believe intends to convey **that** a person engages in, attempts to engage in, or has a propensity or intent to engage in homosexual acts. This may include statements such as, "I am a homosexual," "I am gay," "I am a lesbian," and the like.

12.E.2. Accession Policy

1. Homosexual conduct is grounds for barring entry into the Coast Guard as follows:
 - a. An applicant shall be rejected for entry into the Coast Guard if evidence is received indicating he or she engaged in, attempted to engage in, or solicited another to engage in homosexual acts, unless there is a further determination that:
 - (1) Such acts depart from the applicant's usual customary behavior;
 - (2) Under all circumstances they are unlikely to recur;
 - (3) They were not accomplished by using force, coercion, or intimidation; and
 - (4) The applicant does not have a propensity or intent to engage in homosexual acts.
 - b. An applicant shall be rejected for entry into the Coast Guard if he or she states he or she is a homosexual or bisexual, or words to that effect, unless there is a further determination he or she is not a person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts. Such a determination will be made in the course of the normal accession process.
 - c. An applicant shall be rejected for entry into the Coast Guard if, in the course of the accession process, evidence is received demonstrating an applicant has married or attempted to marry a person known to be of the same **gender** (evidenced by the external anatomy of the persons involved).
2. Before enlistment, commissioning, or induction, all applicants and inductees will be advised homosexual conduct is grounds for separation from the Coast Guard. Failure to receive such information shall not constitute a defense in any administrative or disciplinary proceeding.
3. Nothing in this accession policy requires rejection for entry into the Coast Guard when it is determined that:
 - a. An applicant or inductee stated, engaged in acts, or married or attempted to marry a person of the same sex to avoid military service; and
 - b. Rejection of the applicant or inductee would not be in the best interest of the Coast Guard.


12.E.3. Separation Policy

The suitability of persons to serve in the Coast Guard will be judged on the basis of their conduct and ability to meet required standards of duty performance and discipline. A member's sexual orientation is considered a personal, private matter and is not a bar to continued service unless manifested by homosexual conduct as described in this article. There are three bases for separation:

1. Homosexual Acts. A Service member shall be separated if he or she has engaged in, attempted to engage in, or solicited another to engage in a homosexual act or acts, unless there are approved further findings of all these:
 - a. Such acts depart from the member's usual, customary behavior;
 - b. Such acts under all circumstances are unlikely to recur;
 - c. Such acts were not accomplished by using force, coercion, or intimidation;
 - d. Under the particular circumstances of the case, the member's continued presence in the Coast Guard is consistent with the Coast Guard's interests in proper discipline, good order, and morale; and
 - e. The member does not have a propensity or intent to engage in homosexual acts.
2. Statements. A service member shall be separated if he or she states he or she is a homosexual or bisexual, or words to that effect, unless there is a further approved finding the member has demonstrated that he or she is not a person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts.
 - a. A member's statement that demonstrates a propensity or intent to engage in homosexual acts is grounds for separation not because it reflects the member's sexual orientation, but because it indicates a likelihood the member engages in or will engage in homosexual acts.
 - b. A member's statement he or she is a homosexual or bisexual, or words to that effect, creates a rebuttable presumption the member engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts.
 - (1) The member shall be advised of this presumption and given the opportunity to rebut it by presenting evidence demonstrating he or she does not engage in, attempt to engage in, have a propensity to engage in, or intend to engage in homosexual acts.
 - (2) In determining whether a member has successfully rebutted the presumption that he or she engages in, attempts to engage in, or has a propensity or intent to engage in homosexual acts, some or all of the following may be considered; this list is not exhaustive; any other relevant evidence may also be considered:

- (a) Whether the member has engaged in homosexual acts;
 - (b) His or her credibility;
 - (c) Testimony from others about the member's past conduct, character, and credibility;
 - (d) The nature and circumstances of the member's statement; and
 - (e) Any other evidence on whether the member is likely to engage in homosexual acts.
3. Marriage. A service member shall be separated if he or she has married or attempted to marry a person known to be of the same biological sex (evidenced by the external anatomy of the persons involved).



12.E.4. Characterization of Service

Characterization of service will be determined in accordance with  Articles 12.A.2. (for officers) and 12.B.2. (for enlisted members) subject to this guidance:





1. For both officers and enlisted members, a discharge shall be characterized as "Honorable" or "General (Under Honorable Conditions)" if the sole basis for separation is homosexual conduct unless aggravating circumstances are included in the findings.
2. For both officers and enlisted members, separation may be characterized as "Under Other Than Honorable Conditions" only if there is also a finding that during the current term of service the member attempted, solicited, or committed a homosexual act under any of these aggravating circumstances:
 - a. By using force, coercion, or intimidation;
 - b. With a person under 16 years of age;
 - c. With a subordinate in circumstances that violate customary military superior-subordinate relationships;
 - d. Openly in public view;
 - e. For compensation;
 - f. Aboard a military vessel or aircraft; or
 - g. In another location subject to military control under aggravating circumstances noted in the finding that adversely affect discipline, good order, or morale comparable to the impact of such activity aboard a vessel or aircraft.

12.E.5. Procedures



12.E.5.a. Commissioned and Warrant Officers


Separation processing shall be conducted in accordance with  **Chapter 12.A.**, subject to the guidance found in this **article**. Notification and acknowledgment will be consistent with **procedures outlined in**  Article 12.A.15.

1. Commissioned Officers (Article 12.A.15.)

- a. Per  Article 12.A.15.h., **a Board of Inquiry may be convened to afford an officer a fair, impartial hearing.** The Board makes findings and recommendations based on a preponderance of evidence. In the case of alleged homosexual conduct, the officer bears the burden of proving throughout the proceedings, by a preponderance of the evidence, that retention is warranted under the limited circumstances described in  **Article 12.E.3.**
 - b. Additionally, nothing in these regulations requires that an officer be processed for separation when a determination is made that:
 - (1) The officer engaged in acts, made statements, or married or attempted to marry a person known to be of the same biological sex to avoid military service; and
 - (2) Separating the officer would not be in the best interest of the Coast Guard.
 - c. In cases of alleged homosexual conduct, both the Determination Board and Board of Inquiry shall make specific findings of the reasons warranting retention or not and, if appropriate, stating the character of discharge (in accordance with  Article 12.A.2.f.) to be issued.
 - d. A commissioned officer may be considered for separation for all the reasons in  Chapter 12 and those set forth in subparagraph c. above; however, separate findings under each applicable section are required for the reasons for separation.
- #### 2. Warrant Officers (Article 12.A.21). When Evaluation Boards convene and Board of Inquiry procedures are followed as described in Article 12.A.15., the conditions described above for commissioned officers apply, as appropriate, to warrant officers.

12.E.5.b. Enlisted Members

Separation processing shall be conducted in accordance with  **Chapter 12.B.**, subject to the guidance found in this **article**.  Figures 12.E.1. and 12.E.2. provide sample notification and acknowledgment letters to initiate the administrative discharge process for enlisted members.

1. Enlisted Members with fewer than 180 days service. (Article 12.B.20) Processing under  Article 12.B.20. will be followed if the member has fewer than 180 days' service on notification of discharge. The member must be informed in writing the reason(s) for separation under the homosexual conduct policy and of his or her rights.

2. Enlisted Members with 180 days' or more service. (Article 12.B.31.) Administrative Discharge Board (ADB) procedures are found in ~~☞~~ Article 12.B.31., and shall be used for enlisted members with 180 days' or more service on notification of discharge, subject to the following:
 - a. The member may waive the ADB.
 - (1) If the member waives the ADB for cases involving homosexual acts and/or homosexual marriage or attempted marriage, the member still has the right to submit a statement on his or her behalf.
 - (2) **In** cases involving **homosexual admissions**, if the member waives the ADB, he or she still has the right to submit a statement on his or her behalf **as well as** an opportunity to rebut the presumption in that **admission** by demonstrating that he or she does not engage in, attempt to engage in, have a propensity to engage in, or intend to engage in homosexual acts.
 - b. ~~☞~~ Article **12.E.7.** contains the fact-finding procedures for inquiries into homosexual conduct. Separation processing shall be initiated if there is probable cause to believe separation is warranted under ~~☞~~ **Article 12.E.3.**
 - c. If the ADB finds the evidence supports one or more of the circumstances authorizing separation under ~~☞~~ **Article 12.E.3.**, the ADB shall recommend separation unless it finds that retention is warranted under the limited circumstances described in ~~☞~~ **Article 12.E.3.1.**
 - d. If the ADB does not find sufficient evidence that one or more of the circumstances authorizing separation under ~~☞~~ **Article 12.E.3.** has occurred, the ADB shall recommend retention unless the case involves another basis for separation of which the member has been duly notified.
 - e. The member bears the burden of proving by a preponderance of the evidence that retention is warranted under the limited circumstances described in ~~☞~~ **Article 12.E.3.**, except in cases where the member's conduct resulted solely from a desire to avoid or terminate military service.
 - f. Findings on whether retention is warranted under the limited circumstances of ~~☞~~ **Article 12.E.3.** are required if the member clearly and specifically raises such limited circumstances.

Figure 12.E.5.1. SAMPLE NOTIFICATION MEMORANDUM FOR ENLISTED MEMBERS

Signature
From: Commanding Officer, [Unit]
To: [Member name]:
Subj: NOTICE OF INITIATION OF ADMINISTRATIVE DISCHARGE PROCESS
Ref: (a) Personnel Manual, COMDTINST M1000.6A, Article 12.E.5.
(b) Personnel Manual, COMDTINST M1000.6A, Article 12.B.31.
(c) Administrative Investigations Manual, COMDTINST M5380.1 (series)

1. You are hereby notified per reference (a), I am initiating procedures for you to be administratively discharged from the United States Coast Guard [Reserve] for homosexual conduct [and other grounds if applicable].

Specific reasons for the action are as follows:

[Sample paragraphs 2 and 3 are formats to use for each type of homosexual conduct defined in reference (a): homosexual statement, homosexual act, or homosexual marriage or attempted marriage. More than one basis for discharge can exist: multiple grounds for discharge can exist, including those unrelated to homosexual conduct. Separately cite and address each basis for separation in this notification letter.]

For cases involving statements:

2a. I have received credible information you have made a statement indicating you are [homosexual/bisexual—whichever is appropriate], or words to that effect. Specifically, you stated on [date] that [describe statement]. Under reference (a), this statement creates a rebuttable presumption you engage in, have a propensity to engage in, or intend to engage in homosexual acts and presents probable cause to believe separation is warranted under reference (a).

3a. Under reference (a), you are entitled to rebut the presumption noted above at an administrative discharge board by presenting evidence demonstrating you are not a person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts. Under references (b) and (c), you have the right to appear in person and present your case before an administrative discharge board of at least three officers. References (b) and (c) outline additional procedures for administrative boards. You have the right to be represented by appointed counsel, or private counsel at no expense to the Government, at such hearing. You may waive this right by submitting a signed statement only after consulting with legally qualified counsel and having a witness countersign that waiver. If you decide to waive a hearing before an administrative discharge board, you still have the right to submit a statement on your behalf and an opportunity to rebut the presumption noted above in the statement by demonstrating you do not engage in, attempt to engage in, have a propensity to engage in, or intend to engage in homosexual acts.

For cases involving homosexual acts:

2b. I have received credible information you have engaged in homosexual acts. Specifically, on [dates] you [describe homosexual acts]. Your homosexual acts present probable cause to believe

separation is warranted under reference (a).

3b. Under reference (a), you are entitled to present evidence to contest the matters noted above about your alleged homosexual act(s). You also are entitled to present evidence your retention in the Coast Guard is warranted because: (1) your act(s) were a departure from your usual customary behavior; (2) your act(s) under all the circumstances are unlikely to recur; (3) your act(s) were not accomplished by using force, coercion, or intimidation; (4) under the particular circumstances of your case, your presence in the Coast Guard is consistent with the Coast Guard's interest in proper discipline, good order, and morale; and (5) you do not have a propensity or intent to engage in homosexual acts. Under reference (a), you have the right to appear in person and present your case before an administrative discharge board of at least three officers. References (b) and (c) outline procedures for administrative boards. You have the right to be represented by appointed counsel or private counsel at no expense to the Government at such a hearing. You may waive these rights by submitting a signed statement only after consulting with legally qualified counsel and having a witness countersign such a waiver. If you decide to waive a hearing before an administrative discharge board, you still have the right to submit a statement on your behalf.

For cases involving homosexual marriages or attempted marriages:

2c. I have received credible information you have [married/attempted to marry] a person of your same biological sex. Specifically, on [date] you [describe marriage or attempted marriage and to whom]. This [marriage/attempted marriage] presents probable cause to believe separation is warranted under reference (a).

3c. Under reference (a), you are entitled to present evidence to contest the matters noted above about your alleged homosexual [marriage/attempted marriage]. Under reference (a) you have the right to appear in person and present your case before an administrative discharge board of at least three officers. References (b) and (c) outline procedures for administrative boards. You have the right to be represented by appointed counsel or private counsel at no expense to the Government at such a hearing. You may waive these rights by submitting a signed statement only after consulting with legally qualified counsel and having a witness countersign such a waiver. If you decide to waive a hearing before an administrative discharge board, you still have the right to submit a statement on your behalf.

4. I will send my recommendation on any proposed administrative discharge to [proper Separation Authority, in most cases the Commander, Coast Guard Personnel Command] for final disposition. The final decision on any type of discharge you may receive rests with [proper Separation Authority].

5. You have until [date: 10 working days from the date of this letter] to consult with a qualified military counsel or a civilian attorney at no expense to the Government and acknowledge receipt of this letter. To do so, indicate your desires on the attached endorsement after either consulting with counsel or waiving such consultation and then return the attached endorsement to me by [same date as above]. If you decide to submit a statement on your own behalf, you also must submit your statement to me by [same date as above] with the attached endorsement. Qualified military counsel is available from [unit provides address and telephone number].

#

Figure 12.E.5.2. SAMPLE ACKNOWLEDGMENT MEMORANDUM FOR ENLISTED MEMBERS

Member's Signature
From: [Member]

To: Commanding Officer, [Unit]

Subj: NOTICE OF INITIATION OF ADMINISTRATIVE DISCHARGE PROCESS

Ref: (a) [letter notifying member of discharge action]

1. I have read reference (a) and hereby acknowledge you are initiating administrative discharge proceedings against me for homosexual conduct [and other grounds if applicable]. I also understand unless I waive such rights in writing:

- a. My case will be heard before an administrative discharge board of at least three officers;
- b. I may appear in person before such an administrative discharge board [unless in civil confinement or otherwise unavailable];
- c. I may be represented by counsel; and
- d. I may submit a statement on my own behalf.

2. I understand [the Separation Authority, in most cases the Commander, Coast Guard Personnel Command] will take final disposition on type of discharge issued, if any.

3. I [do/do not: use only words which apply] waive my right to a hearing before an administrative discharge board. I [am/am not: use only words which apply] submitting a statement on my own behalf.

4a. In coming to my decision, I consulted with [rank, name of qualified military counsel or name of civilian counsel] on [date].

or

4b. I understand my right to consult with qualified military counsel, or civilian counsel at no expense to the Government, on this matter. I hereby waive my right to counsel.

5. I further understand if discharge under other than honorable conditions is issued to me such discharge may deprive me of many or all my rights as a veteran under both Federal and State legislation; and I may expect to encounter substantial prejudice in civilian life in situations in which the type of service rendered in any Armed Forces branch or the type of discharge received from it may have a bearing.






6. I voluntarily sign this statement of my own free will. I have retained a copy of this statement.

#

(Signature and grade of legally qualified counsel; required only if the member elects to waive the administrative discharge board)

12.E.6. Separation Authority

The Separation Authority shall dispose of the Administrative Discharge Board (ADB) case according to these provisions:

1. If the ADB recommends retention, the Separation Authority shall take one of these actions:
 - a. Approve the finding and direct retention; or
 - b. Disapprove the finding and direct separation on the basis that one or more of the circumstances authorizing separation under  **Article 12.E.3.** has occurred.
2. If the ADB recommends separation, the Separation Authority shall take one of these actions:
 - a. Approve the finding and direct separation; or
 - b. Disapprove the finding on the basis of the following considerations:
 - (1) There is insufficient evidence to support the finding; or
 - (2) Retention is warranted under the limited circumstances described in  **Article 12.E.3.1.**
3. If the member has waived the ADB proceedings, the Separation Authority shall dispose of the case in accordance with these provisions:
 - a. If the Separation Authority determines sufficient evidence does not exist to support separation under  **Article 12.E.3.**, the Separation Authority directs retention unless there is another basis for separation of which the member has been duly notified.
 - b. If the Separation Authority determines one or more of the circumstances authorizing separation under  **Article 12.E.3.** has occurred, the member separates unless retention is warranted under the limited circumstances described in  **Article 12.E.3.1.**
4. Nothing in these procedures requires processing a member for separation when a determination is made that:
 - a. The member engaged in acts, made statements, or married or attempted to marry a person known to be of the same biological sex to avoid or terminate military service; and
 - b. Separating the member would not be in the best interest of the Coast Guard.

5. Under these procedures the Coast Guard retains these rights:
 - a. It may retain a member for a limited period of time in the interests of national security as authorized by the Secretary.
 - b. It may separate a member in appropriate circumstances for any other reason set forth in ~~12~~ Chapter 12.
 - c. It may court-martial a member in appropriate cases.
 - d. It may require the member to surrender his or her uniform.

12.E.7. Command Inquiries


1. Commanding officers may initiate fact-finding inquiries into alleged homosexual conduct only after receiving credible information a basis for discharge exists.
 - a. Credible information is that which, considering its source and the surrounding circumstances, supports a reasonable belief there is a basis for discharge. It requires a determination based on facts which can be articulated, not just a belief or suspicion.
 - b. A commanding officer personally or a person he or she appoints may conduct a fact-finding inquiry.
2. Credible information about homosexual conduct does not exist if the only information known concerns an associational activity; e.g., going to a gay bar, possessing or reading homosexual publications, associating with known homosexuals, or marching in a gay rights rally in civilian clothes. Such activity, in and of itself, does not provide evidence of homosexual conduct. Credible information does exist, however, if a reliable person states he or she:
 - a. observed a service member engaging in homosexual acts **or heard a service member state that** he or she is a homosexual or bisexual or is married to a person of the same sex;
 - b. heard, observed, or discovered a service member made an oral or written statement a reasonable person would believe intends to convey the fact the service member engages in, attempts to engage in, or has a propensity or intent to engage in homosexual acts; or
 - c. has observed behavior that amounts to a non-verbal statement by a service member he or she is a homosexual or bisexual; i.e., behavior a reasonable person would believe is intended to convey the statement the Service member engages in, attempts to engage in, or has a propensity or intent to engage in homosexual acts.

3. Service members will not be asked about or required to reveal whether they are heterosexual, homosexual, or bisexual. However, on receiving credible information of homosexual conduct, commanders or appointed inquiry officials may ask members if they engaged in such conduct. These officers first should advise the Service member of the policy on homosexual conduct and of his or her rights under Article 31, UCMJ, if applicable. Should the Service member choose not to discuss the matter further, the commander should consider other available information.
4. Commanders should gather all credible information that directly relates to the grounds for possible separation and limit inquiries to the factual circumstances directly related to the specific allegations. Informal fact-finding inquiries and administrative separation procedures are the preferred method of addressing homosexual conduct. However, Service members may be subject to disciplinary action or trial by courts-martial in appropriate circumstances.
5. This provision allows a commander to question a Service member about any information he or she provided in the course of the fact-finding inquiry or any related proceeding. It does not give the member any basis to challenge the validity of any proceeding or the use of any evidence, including his or her statement, in any proceeding.

12.E.8. Criminal Investigations

1. Criminal investigations **will not be** conducted solely to determine whether a Service member is heterosexual, homosexual, or bisexual. **However, in cases which involve a Service member's admissions or other violations of this policy in regards to homosexual or bisexual activity, the commander may request that the Coast Guard Investigative Service (CGIS) initiate an investigation to determine the validity of allegations of homosexual or bisexual misconduct for use in any subsequent administrative or criminal proceedings.**
2. **Sexual orientation does not bar investigations into alleged adult consensual sexual misconduct (e.g., fraternization or adultery) or violations of law, regardless of whether they involve the question of sexual orientation.**
3. **In the course of an investigation, only credible information regarding sexual orientation may be investigated, only as far as it pertains to the original investigation.**
4. These provisions do not provide a basis to challenge the validity of any administrative or criminal proceeding or exclude the use of any evidence in such proceeding.

12.E.9. Personnel Security Investigations

Sexual orientation has no bearing on security clearances and members will not be asked to divulge such information. If, in the course of a background investigation, such information is discovered and there is a possibility that it may pose a security risk (e.g., possibility of blackmail), personnel security adjudicators and the USCG Personnel Security Officer will follow the national adjudication standards and other guidance provided in the  Coast Guard Military Personnel Security Program, COMDTINST 5520.12 (series).

12.E.10. Military Training

In conjunction with briefings under Article 137, UCMJ, which are required on entry and periodically thereafter, Service members will **receive training concerning** the Coast Guard's policy on sexual conduct, including homosexual conduct. This is a command responsibility, not a procedural entitlement. The member's failure to receive or understand such explanation does not create a bar to separation or characterization.

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12.F. Temporary Separation

12.F.1. General



1. The Temporary Separation policy allows Coast Guard members to temporarily separate and pursue growth or other opportunities outside the service, while providing a mechanism for their return to active duty. The long-term intent of this program is to retain the valuable experience and training our members possess that might otherwise be lost. Under this policy, career oriented officers and enlisted members are allowed a one-time separation from Active Duty for up to two years to either:
 - a. Discharge parental responsibilities to care for newborn children (CNC), or
 - b. Allow members to pursue personal interests that are restricted by continuing on active duty, i.e., education.
2. Personnel who already have an approved separation date may request, prior to that date, to be separated under this policy.
3. Personnel who have previously separated from the Service under this policy are not eligible for a second separation under this policy. This prohibition also applies to personnel who previously separated under the Care for Newborn Children (CNC) policy
4. Members who are approved for separation under this policy are eligible to affiliate with the Reserve during the separation. (☛ Reserve Policy Manual, COMDTINST M1001.28 (series) for detail on Reserve affiliation.)

12.F.2. Discussion

1. This policy allows:
 - a. A member to separate with a guarantee of reenlistment or a new officer appointment upon return to Active Duty on meeting physical and other qualifying standards.
 - b. A member to affiliate with the Reserves while in a temporary separation status.
2. A member separated under this policy will not receive any pay, allowances or Active Duty retirement points nor any peripheral Service benefits such as retirement, medical coverage, or Servicemembers' Group Life Insurance (SGLI) during the separation, except for benefits provided while serving in the USCGR.

3. In respect to advancement or appointment, the following applies:
 - a. An officer separated under this policy will lose precedence on the Active Duty Promotion List (ADPL) and the following will apply:
 - (1) Upon return to active duty, an officer not previously considered for promotion to the next higher grade on the ADPL will go before the next selection board for which the officer is eligible for consideration based on the officer's adjusted date of rank.
 - (2) Upon return to active duty, an officer previously selected on the ADPL, but not promoted prior to separation under this policy, will:
 - (a) be placed back on the ADPL list at the same relative position held prior to separation, if that list is still in effect and the officer's name has not been reached. Or;
 - (b) be offered an appointment in the higher grade, if the officer's name was reached or passed by on a previous list.
 - (3) Upon return to active duty, an officer who affiliated with the Reserve and was promoted to the next higher grade on the IDPL:
 - (a) Will not be reappointed in the higher regular grade. The officer will be reappointed in the grade that was held prior to separation and will receive an adjusted date of rank as outlined in [Article 12.F.3.c.](#)
 - (b) May request to return to active duty on an extended active duty (EAD) contract at the higher grade. Officers are not guaranteed an EAD contract under this program. Needs of the Service determine the number of EAD contracts that may be offered to Reserve personnel. If an officer receives an EAD contract, that officer will have to complete the integration process in order to remain on active duty beyond the EAD contract.
 - (4) Upon return to active duty, an officer who affiliated with the Reserve and was considered for promotion to the next higher grade on the IDPL, but not selected for promotion:
 - (a) Will be reappointed in regular grade held prior to temporary separation.
 - (b) Will be considered by the ADPL selection board, when eligible as an in-zone candidate. The IDPL nonselection is not carried forward on the ADPL.

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- b. Upon return to active duty, an enlisted member who's name was above the initial cut on the enlisted advancement list prior to separation:
 - (1) Will be placed back on the enlisted advancement list at the same relative position held prior to separation, if that list is still in effect and the member's name has not been reached or bypassed.
 - (2) Will be reenlisted in the higher grade, if the member's name has been reached or bypassed on the current or a previous list.
 - c. Upon return to active duty, an enlisted member who affiliated with the Reserves and was advanced to the next higher grade off of the Reserve enlisted advancement list:
 - (1) Will not be reenlisted in the higher regular grade. The member will be reenlisted in the grade that was held prior to separation.
 - (2) May request to return to active duty on an extended active duty (EAD) contract at the higher grade. Enlisted members are not guaranteed an EAD contract under this program. Needs of the Service determine the number of EAD contracts that may be offered to Reserve personnel. If an enlisted member receives an EAD contract, then that member will have to complete the integration process in order to remain on active duty beyond the EAD contract.
 - d. If not appointed or advanced to a higher grade, as described above, on return to Active Duty or affiliation with the Reserve, a member receives credit for time served in grade before the temporary separation. **This credit will also apply for any necessary continuous active duty requirements for advancement (See [Article 5.C.5](#)).**
4. If member affiliates with the Reserve during the up to 2 years separation under temporary separation, the member may receive pay for drills, ADT, ADSW, and SELRES affiliation bonus. Members will accumulate time in service while affiliated with the Reserve. Members will also receive qualifying service time creditable for Reserve retirement provided they meet the minimum points outlined in the  Reserve Policy Manual, COMDTINST M1001.28 (series).
5. Temporary separation options See  [Figure 12.F.2.1](#):
- a. Officer and Enlisted: No Reserve Affiliation. For career members who do not desire to affiliate with Reserve during the temporary separation and desire guaranteed return to Active Duty within two years of discharge.

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b. Officer: From Active Status to Reserve Status.

- (1) An officer may join the Reserve during the up to 2 years separation under temporary separation with a guarantee to return to Active Duty as a permanent Regular officer with a modified DOR.
- (2) Officers who choose to join the Reserve are subject to Reserve mobilization call-ups.
- (3) While serving in the Reserves, the officer may request extended Active Duty with no loss of numbers based on the needs of the Service; however, this action will terminate the temporary separation agreement.
- (4) An officer's date of rank would not change for officers who immediately affiliate with the Reserve upon separation from active duty. Thus, the date of rank would transfer from the Inactive Duty promotion list (IDPL) to the Active Duty promotion list (ADPL) for officers recalled to Active Duty via an extended Active Duty contract.

6. This policy is another significant element in the continuum of options available to our members in caring for newborn children, including adopted newborns.

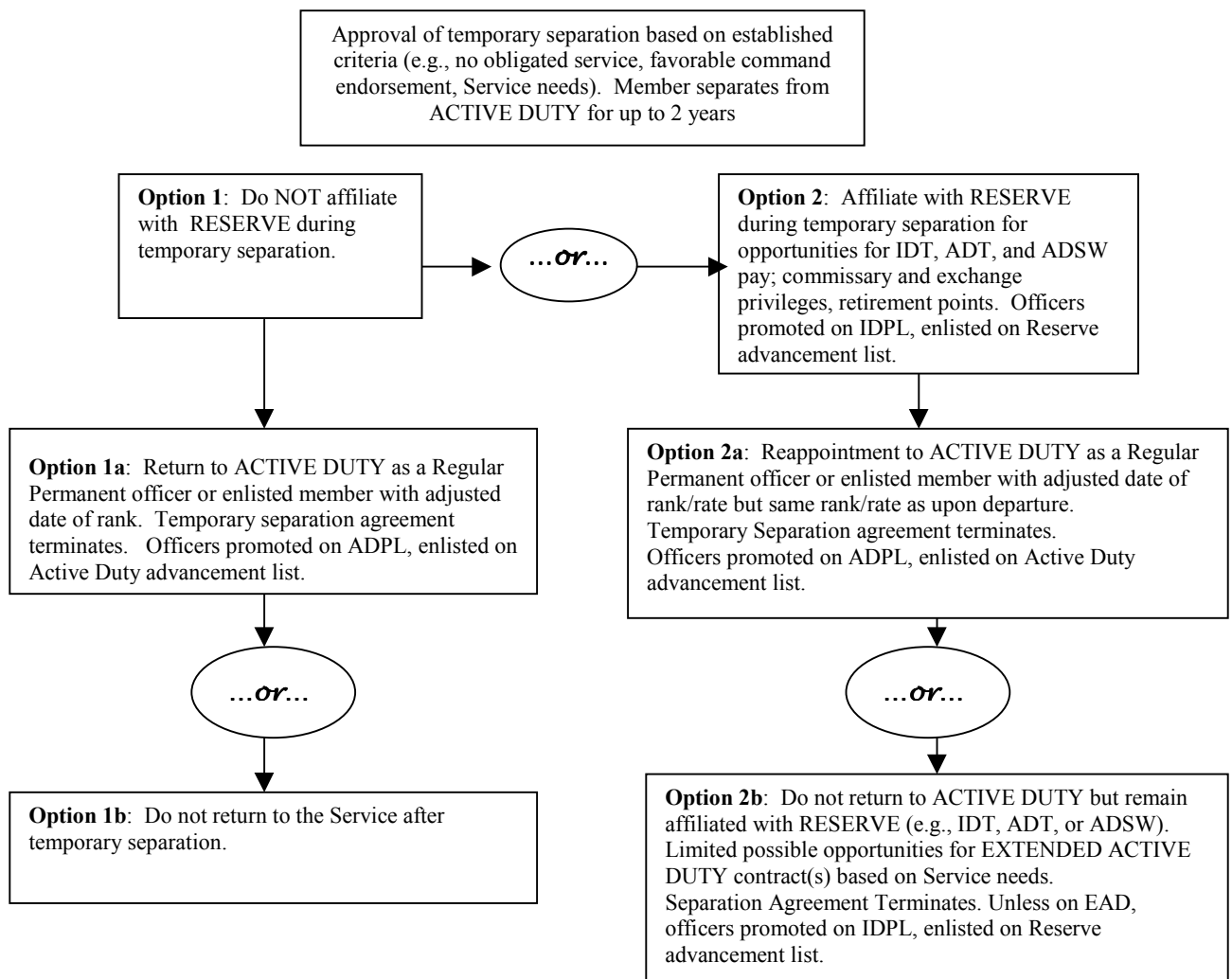
- a. Maternity Leave: Any female member may be granted up to 30 days cumulative prenatal sick leave without Headquarters approval. In addition, postnatal sick leave may be granted for up to 42 cumulative days. All sick leave must be certified as necessary by a physician. These periods of sick leave are for the member's care and convalescence.
- b. Maternity Leave Plus Regular Leave: Any female member may be granted 42 days postnatal sick leave plus 60 or more days (at the command's discretion) regular leave. This provides potential opportunity for over three months authorized absence from duty.
- c. Officer Resignation from Regular Status to Reserve Status: Now available to officers, but with no guarantee of a Selected Reserve Billet, or recall to active duty. The member could be called to extended active duty as a Reserve officer with no loss of numbers.
- d. Separation from Enlisted Status Due to Hardship: Now available to enlisted members based on providing evidence they are experiencing a bona fide hardship. A guarantee of reenlistment is not provided.
- e. Separation for Care of Newborn: For career members who desire guaranteed return to active duty after discharge.

command's discretion) regular leave. This provides potential opportunity for over three months authorized absence from duty.

- c. Officer Resignation from Regular Status to Reserve Status: Now available to officers, but with no guarantee of a Selected Reserve Billet, or recall to active duty. The member could be called to extended active duty as a Reserve officer with no loss of numbers.
- d. Separation from Enlisted Status Due to Hardship: Now available to enlisted members based on providing evidence they are experiencing a bona fide hardship. A guarantee of reenlistment is not provided.
- e. Separation for Care of Newborn: For career members who desire guaranteed return to active duty after discharge.

OPTIONS: Temporary Separation

Figure 12.F.2.1.





12.F.3. General Provisions

This section contains information applicable to both officer and enlisted personnel. ➡ See Article 12.F.5. for officer specific provisions and ➡ Article 12.F.6 for enlisted specific provisions.

12.F.3.a. Separation

1. Commander, (CGPC-epm- 1) or (CGPC-opm- 1) may approve one request for up to 24 months of temporary separation in a member's career.
2. All requests are considered based on a member's record and Service needs at the time of separation.
3. An applicant with Active Duty obligated service and Reserve members on EAD are not eligible for temporary separation. Obligated service means a commitment of time due to some benefit a member received, such as training, tuition assistance, permanent change of station orders, advancement, or promotion, etc. Applicants, with the exception of those requesting separation for the Care of Newborn Children, should normally be tour complete at the time of separation.
4. INCONUS, members applying for temporary separation for CNC must have completed at least one year at their current duty station before their request will be considered. For OUTCONUS units, this requirement is at least two years. (Note: If a member has transferred to a new unit within the same geographic OUTCONUS region, all time served within that region will be applied toward the 2-year requirement, but they must complete at least one year at their current unit.)
5. Unless a unique circumstance exists, applications from members in receipt of permanent change of station (PCS) orders will not normally be considered for separation under this policy.
6. Members pending investigation, performance probation, NJP, courts-martial, or civilian criminal charges or proceedings, are not eligible to apply for separation under this policy. Members may have no record of disciplinary action (civil arrest, NJP or courts-martial) for two years prior to requesting separation. (Note: Use the date of request minus two years to establish the "no record of disciplinary action" window. A member who has a record of disciplinary action within this window is not eligible for separation under this policy.)
7. Members should normally submit their request at least six months before their requested separation date, and identify their desire to affiliate, or not, with the Reserve during the up to 2 years separation under temporary separation. In cases involving the adoption of newborn children, submit

the request as early as possible; base the separation and return dates on the best information available. A member may submit a request when he or she is on an approved list for adoption with an adoption agency.

8. For CNC separations the effective separation starting date under the policy should be within 12 months after the child's birth or within 12 months after the date of adoption. Using sick leave or annual leave before or after birth does not preclude eligibility for separation under the CNC policy.
9. If not included in the original request for temporary separation, the applicant should submit a Notice of Intent in the format provided in  [Figure 12.F.3.1.](#) at least three months prior to departing under the temporary separation policy if he or she desires to affiliate with the Reserve. Members who do not immediately affiliate with the Reserves upon temporary separation, may request to affiliate anytime during the temporary separation period.
10. The following members are not eligible for separation under this policy:
 - a. Retirement-eligible members.
 - b. Members within two (2) years of their Professional Growth Point or on the High Year Tenure (HYT) list published by CGPC-epm.
 - c. Officers in a failed selection promotion status.
 - d. Members who were previously separated under this policy or the old CNC policy.
 - e. Officers of the Permanent Commissioned Teaching Staff (PCTS) at the Coast Guard Academy.
11. For officers, a prerequisite for temporary separation is completing all Officer Evaluation System (OES) responsibilities as prescribed by  [Article 10.A.](#)
12. The decision to submit a temporary separation request is a serious one because the projected separation triggers transfer and advancement actions that, if reversed, cause hardship to other members. Members desiring to have their names removed from the list of approved personnel for separation under this policy must submit a letter, via their chain of command, to Commander, (CGPC-opm-1) for officers or (CGPC-epm-1) for enlisted personnel requesting such action be taken. The letter must contain a statement acknowledging that the member understands that he/she will be required to complete a minimum of two (2) years active duty from the date of cancellation of the temporary separation request. The commanding officer's endorsement shall contain a definite recommendation for approval

or disapproval of member's request. Cancellation of an approved separation will be based on Service needs. Commander, (CGPC-opm-l) or (CGPC-epm-l) will notify the commanding officer and member of their final action on the member's request for removal from the list.

12.F.3.b. Return to Active Duty

An approved request guarantees reinstatement to the same grade or rate on either Active Duty at the end of the temporary separation, or upon assignment in the Reserve during the temporary separation, subject to physical condition and other qualifications. The member must complete a physical examination at a U.S. Military Entrance Processing Station (MEPS) and meet retention physical standards for enlistment or appointment.






1. The applicant must submit a Notice of Intent in the format provided in  [Figure 12.F.3.2.](#) at least six months, but not earlier than one year before the intended date of return to Active Duty. To ensure the greatest job opportunity, applicants should consider submitting their notice of intent by 1 October to compete for assignments in the following summer.
2. If not affiliated with Reserve, the applicant shall contact their local Coast Guard recruiter and Commander, (CGPC-CGRC). They shall assist each applicant as necessary in completing the processing file to return to Active Duty. Officers returning to Active Duty shall be processed under the procedures outlined in  [Article 12.F.3.c.](#)
3. If affiliated with Reserve, the applicant shall contact the Commander, (CGPC-opm (for officers) or CGPC-epm (for enlisted)). They shall assist each applicant as necessary in completing the processing file to return to Active Duty upon termination of the temporary separation.
4. An officer must initiate a National Agency Check before effecting the new appointment. As part of the Notice of Intent, the applicant signs the statement in  [Figure 12.F.3.2.](#)
5. In addition to the security check, any CWO (COMMS) who has separated from the Coast Guard for more than 12 months must have a favorable background investigation or update completed within one year of returning to Active Duty. As part of the Notice of Intent, the applicant signs a statement in  [Figure 12.F.3.2.](#)
6. Enlisted members in ratings requiring security clearances must initiate a National Agency Check before re-enlisting. Also, if a rating requires, members must have a favorable background investigation or update completed within one year of return to Active Duty. Failure to qualify for the proper clearance will require the member to pursue a change in rating or he or she may be subject to separation from the Coast Guard. As part of the Notice of Intent, the applicant will sign a statement in  [Figure 12.F.3.2.](#)

Figure 12.F.3.1.
NOTICE OF INTENT TO AFFILIATE WITH THE RESERVE DURING
TEMPORARY SEPARATION

From: (Applicant)

To: Commander, (CGPC-rpm)

Subj: NOTICE OF INTENT TO AFFILIATE WITH THE RESERVE DURING TEMPORARY SEPARATION

1. I hereby notify you I intend to affiliate with the Reserve commencing [insert date under the provisions of the temporary separation policy]. I understand that upon affiliation, I will enlist in or be appointed to the same grade or rate last held while serving on Active Duty.
2. I understand I must have a current physical examination on file.
3. I understand that by joining the Reserve I will be subject to Reserve mobilization call-ups.
4. I understand I will not be assigned to a highly deployable unit (e.g., PSU or HDCU) for up to the 2 years while under temporary separation unless requested by me.
5. I understand that if I am promoted or advanced in the Reserve, that I am not guaranteed the higher rate/rank if I re-enter Active Duty within or at the end of the temporary separation. I understand I may keep the higher rate/rank if it is in the best interest of the Service.
6. I declare I am not drawing and do not have a claim pending for a pension, disability allowance, disability compensation, or retired pay from the United States Government.
7. (OFFICERS AND ENLISTED) I understand my National Agency Check must be current. If not, I will submit the appropriate paperwork prior to affiliation with the Reserve. Or
7. (CWO COMMS ONLY) I understand my Background Investigation must be current. If not, I will submit the appropriate paperwork prior to affiliation with the Reserve.
8. (OFFICERS) I understand I must complete all Officer Evaluation System requirements.
9. My current home address is: Street Address
 City, State, Zip
 Telephone Number

Member's signature

Subscribed and Sworn to before me this [no.] day of [month] [Yr.].

Notary Public/Coast Guard Officer

Copy: Commander, (CGPC-opm or CGPC epm)

Figure 12.F.3.2.
NOTICE OF INTENT TO RETURN TO ACTIVE DUTY AFTER
TEMPORARY SEPARATION

From: (Applicant)

To: Commander, (CGPC-CGRC) or if a reservist to (CGPC-opm or CGPC-epm)

Subj: NOTICE OF INTENT TO RETURN TO ACTIVE DUTY AFTER TEMPORARY SEPARATION

1. I hereby notify you I intend to return to Active Duty on [insert date] under the provisions of the temporary separation policy. I understand on return to Active Duty, I will enlist in or be appointed to the same grade or rate last held while serving on Active Duty.
2. I understand I must have a current physical examination. I will perform necessary travel to fulfill this requirement at my own expense with no cost to the Government.
3. I declare I am not drawing and do not have a claim pending for a pension, disability allowance, disability compensation, or retired pay from the United States Government.
4. (OFFICERS ONLY select one) I understand that upon my return to active duty a National Agency Check will be conducted to determine whether I am qualified to hold a commission as a United States Coast Guard officer. If the check reveals I am not eligible for a security clearance, I may be subject to separation. OR I have been affiliated with the Reserve and my NAC is current.

OR

4. (CWO COMMS ONLY select one) I understand a Background Investigation will be conducted to determine whether I am qualified for the COMMS Warrant Officer specialty in the United States Coast Guard. If the check reveals I am not eligible for a favorable background investigation, I may be subject to separation. OR I have been affiliated with the Reserve and my NAC is current.

OR

4. (ENLISTED ONLY select one) I understand a National Agency Check or Background Investigation [as applicable] will be conducted to determine my qualifications for service in a United States Coast Guard rating. If it reveals I am not eligible for a security clearance, Commander, (CGPC-epm-1) may require me to pursue a change in rating or separate from the Service. OR I have been affiliated with the Reserve and my NAC is current.
5. (OFFICERS) I understand I must complete all Officer Evaluation System requirements.
6. My current home address is:

Street Address
City, State, Zip
Telephone Number



Member's signature


Subscribed and Sworn to before me this [no.] day of [month], [Yr.].

Notary Public/Coast Guard Officer

Copy: Commander, (CGPC-rpm)

12.F.3.c. Subsequent Appointment Process for Former Officers Returning to Active Duty After Temporary Separation (For members with no Reserve affiliation)

1. The applicant must submit a Notice of Intent no less than six months and no more than one year before the intended date of return to Active Duty. Notice must be submitted to Director, Coast Guard Recruiting Center (CGRC).  [Article 12.F.3.b.](#)
2. Within 30 days after receiving the Notice of Intent, CGRC will advise the applicant which recruiting office to contact to complete the appointment process.
3. Local recruiting offices shall arrange for persons CGRC authorizes to undergo the physical examination at a U.S. Military Entrance Processing Station (MEPS) within 90 days before the date the applicant will be appointed to the former grade. The applicable recruiting office will also assist the applicant in completing the pre-appointment file.
4. The applicant will pay all travel expenses in determining eligibility for return to Active Duty, including appearance for the physical examination.
5. Except for the physical examination, the applicant must initiate the pre-appointment file within 30 days of receiving CGRC's directions to contact a specific recruiting office for processing.
6. The recruiting office shall send the completed pre-appointment file (except the physical exam) to CGRC within 45 days after receiving Notice of Intent to return to Active Duty.
7. The recruiting office will send the approved physical examination to CGRC at least 45 days before the appointment date. Disapproved physical examinations must include all additional medical information for waiver consideration. CGRC will send disapproved physical examinations and additional medical information to Commandant (G-WKH) for medical waiver recommendation. All persons must comply with the body weight and composition limits outlined in the  Allowable Weight Standards for Coast Guard Military Personnel, COMDTINST 1020.8 (series) before being tendered an appointment, and signing the Acceptance and Oath of Office.
8. CGRC will review the complete file and advise Commander, (CGPC-opm) of the status of the National Agency Check and physical examination at least 30 days before the date the applicant is to return to Active Duty.
9. The following documents constitute a complete pre-appointment file:

- a. Assignment Data Form, **CG HRSIC-2002**.
 - b. Four recent photographs: two full figure (front and side view) and two facials (full face and profile).
 - c. Report of Medical Examination SF-88, and Report of Medical History SF-93, each with signatures of medical and dental officers.
 - d. National Agency Questionnaire, DD Form 398-2, (for NAC only).
 - e. Police Record Check, DD-369, for the period since discharge.
 - f. Copy of separation orders and-DD-214.
 - g. Personal Security Questionnaire, DD Form 398 (only if BI required).
 - h. Fingerprint Cards, FD-258.
 - i. Security Clearance/Determination Request and Authorization
10. On receiving the Notice of Intent copy from the applicant and an acknowledgment from CGRC that: a National Agency Check has been initiated, CGRC will obtain the authorization for appointment to the former grade.
11. The person will be appointed to the same grade last held on Active Duty as follows:
- a. Such person shall be credited at the time of the subsequent appointment with any Active Duty commissioned service in grade he or she performed in the Coast Guard before subsequent appointment to the same grade.
 - b. Such person who is receiving a subsequent appointment shall receive a new date of rank based on constructive credit for Active Duty commissioned service previously served in that grade in the Coast Guard.
 - c. In determining a member's service time for computing time in grade under this section, each year, month and day is counted. Computations are based on the methods prescribed in the  Personnel and Pay Procedures Manual, HRSICINST M1000.2 (series).
 - d. The constructive service credited an officer under this Article shall be used only to determine the officer's new date of commission.

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- e. Once the new date of rank is established, seniority within that date of rank will be administratively determined by Commander (CGPC-opm). In instances where the adjusted date of rank is not unique for officers in that grade, the returning officer will be given the higher precedence.
12. The effective date of pay and allowances will be the date the applicant executes the Acceptance and Oath of Office.
13. On receiving the applicant's Notice of Intent (copy) and CGPC-CGRC's acknowledgment that a National Agency Check has been initiated, CGPC-opm-2 will determine the applicant's duty assignment and issue his or her orders as far in advance as possible (90 days is optimal) before the appointment date. The officer will be ordered to Active Duty in the Coast Guard on accepting the appointment.
14. Commander, (CGPC-opm) will transmit orders to the applicant with specific directions on when to execute the Acceptance and Oath of Office.
15. On appointment, the officer is subject to the same rules of conduct and performance of duty as are all other Coast Guard officers.
16. Sample Adjusted Dates of Rank for Commissioned Officer:

Example 1	Example 2
<p>Promotion History</p> <p>86 MAY 21 ENS 90 NOV 21 LT 91 NOV 21 LT (YG-86)</p> <p>SNO was approved for separation on 91 OCT 31. TIG as LT at time of separation 11 months, 11 days. SNO was approved for return on 92 DEC 91.</p> <p>91 10 31 (departure date) <u>90 11 21</u> (date of rank) 00 11 10 + 1</p> <p>DEPARTURE TIG AS LT 00 11 11</p> <p>Return LT DOR 92 12 01 (return date) (adjusted) <u>00 11 11</u> (departure TIG) 00 20 (converts to 12/20/91)</p> <p>New DOR is 12/20/91 (YG-87)</p>	<p>Promotion History</p> <p>76 JUN 03 ENS 78 MAR 03 LTJG 81 MAY 01 LT 88 JUL 01 LCDR (YG-76)</p> <p>SNO was approved for separation on 92 JUL 01. TIG as LCDR at time of departure is 4 years, 1 day. SNO was approved for return on 93 NOV 01.</p> <p>92 07 01 (departure date) <u>88 07 01</u> (date of rank) 04 00 00 + 1</p> <p>DEPARTURE TIG AS LCDR 04 00 01.</p> <p>Return LCDR 93 11 01 (return date) (adjusted) <u>04 00 01</u> (departure TIG) 89 11 00 (converts to 10/31/89)</p> <p>New DOR is 10/31/89 (YG-78).</p>

17. Sample Date of Rank for Chief Warrant Officer:

Example 1	Example 2
Promotion History:	Promotion History:
90 JUN 01 W-2 93 JUN 01 W-3	91 JUN 01 W-2
SNO was approved for separation on 95 SEP 01. TIG as W-3 at time of departure: 02 years, 3 months, 1 day.	SNO approved for separation on 93 SEP 01. TIG as W-2 at time of departure: 02 years, 3 months, 1 day.
TIG as W-2 at time of departure: 05 year, 3 months, 1 day.	SNO was approved for return on 93 SEP 01.
SNO was approved for return on 96 JUN 01.	
Departure W-3 TIG	Departure W-2 TIG
95 09 01 (departure date)	93 09 01 (departure date)
<u>93 06 01</u> (date of rank)	<u>91 06 01</u> (date of rank)
00 03 00	02 03 00
+1	+1
02 03 01	02 03 01
Departure W-2 TIG	New W-2 DOR (adjusted)
95 09 01 (departure date)	94 09 01 (return date)
<u>90 06 01</u>	<u>02 03 01</u> (departure TIG)
05 03 00	92 06 00 (converts to 06/01/92)
+1	
05 03 01	
New W-3 DOR (adjusted)	
96 06 01 (return date)	
<u>02 03 01</u> (departure TIG)	
94 03 00 (converts to 03/01/94)	
New W-2 DOR (adjusted)	
96 06 01 (return date)	
<u>05 03 00</u> (departure TIG)	
91 03 01	

12.F.3.d. Service Credit for Subsequent Officer Appointment (with no Reserve affiliation) on Return to Active Duty after Temporary Separation

1. This provision determines a member's precedence within grade when he or she returns to Active Duty and receives a subsequent appointment as a commissioned, warrant, or temporary officer in a commissioned grade in the Regular Coast Guard. This provision applies to members returning to active Coast Guard duty under the temporary separation policy and those returning and receiving a later appointment to the Academy Permanent

Commissioned Teaching Staff or designation as a Reserve Program Administrator. When subsequently appointed, the member receives credit for any Active Duty commissioned Coast Guard service in the grade he or she performed before reappointment to the same grade.

2. The Commandant assigns a person receiving a later appointment in a commissioned grade on return to Active Duty a new date of rank based on credit for Active Duty commissioned service previously served in that grade. This procedure affords an officer credit for time previously served in grade.
3. In determining a member's service time to compute time in grade under this section, count each year, month, and day and base computations on the methods prescribed in Appendix C, Personnel and Pay Procedures Manual, HRSICINST M1000.2 (series).
4. The previous active service credited an officer under this regulation determines his or her date of commission rank, seniority, and position on the Active Duty Promotion List. [Article 12.F.5](#). Officers and enlisted personnel who were previously selected from promotion/advancement to the next higher grade, but were not promoted/advanced prior to temporary separation may be appointed/reenlisted in the higher grade. [Article 12.F.2.3](#).
5. Once the new date of rank is established, Commander (CGPC-opm) administratively determines seniority within that date of rank. In cases in which the adjusted date of rank is not unique for officers in that grade, the returning officer will be given the higher precedence.

12.F.3.e. Service Credit for Subsequent Officer Appointment (with Reserve affiliation) on Return to Active Duty after Temporary Separation

See the Reserve Policy Manual, COMDTINST M1001.28 (series), Chapter 8.C for computation of retirement points.

12.F.3.f. Service Credit on Reenlistment (with no Reserve affiliation) After Temporary Separation

Members who return to active duty from the temporary separation program receive full credit for any TIR formerly creditable prior to their separation under the temporary separation program for computation of their SWE final multiple.

12.F.3.g. Service Credit on Reenlistment (with Reserve affiliation) on Return to Active Duty after Temporary Separation

See the Reserve Policy Manual, COMDTINST M1001.28 (series), Chapter 8.C for computation of retirement points.

12.F.4. Special Terms

1. Members will separate with the understanding they will retain eligibility to return to Active Duty or affiliate with the Reserve under the specific terms previously outlined. The member must submit a signed acknowledgment of the specific conditions governing separation and return to Active Duty or affiliate with the Reserve with the request for separation under this policy.
2. Members discharged from the Service are entitled to transportation of household effects from the last duty station to home of record or the place from which ordered to Active Duty.
3. On enlistment or reenlistment or a new appointment under this policy, Commander, (CGPC-epm-2), (CGPC-opm-2) or (CGPC-rpm) generally will consider members for reassignment consistent with the needs of the Service.

12.F.5. Officer Provisions

Under this policy, officer eligibility is limited to career officers who have served on active Coast Guard duty for five years without a break in service immediately preceding the effective separation date. Commander, (CGPC-opm) generally recognizes these members as having long-term goals and aspirations in the Service because they completed an extended period of Active Duty or attained permanent status. They have demonstrated they possess the potential and skills for long-term Active Duty.

1. For the purpose of this policy, career officers are defined as:
 - a. Permanent commissioned officers in the grade of lieutenant or above, or
 - b. Permanent commissioned warrant officers who have completed their three-year probationary period, or
 - c. Temporary regular officers who have completed at least 5 years of active duty and three years of active duty commissioned service, or

- d. Reserve Program Administrators (non-provisional) in the grade of lieutenant or above, or
2. Officers submit their request to separate under this policy as an unqualified resignation in the form prescribed in [Article 12.A.6.](#) with a signed Statement of Understanding of Conditions for Temporary Separation (See [Figure 12.F.7.1.](#)) as an attachment to the request. The commanding officer's endorsement shall comment on the officer's future potential and a definite recommendation for approval or disapproval.
3. Commander, (CGPC-opm-1) will discharge officers with the understanding they will return with the same grade they last held on Active Duty. If officers desire to affiliate with the Reserve during the temporary separation, and if not included in the original request for temporary separation, then it is preferred that they apply for a Reserve commission at least three months in advance of the desired date of separation from Active Duty. This application process must be coordinated with the Coast Guard Personnel Command (CGPC-rpm). However, the highest grade to which temporary officers will be appointed is lieutenant.
4. Officers will receive a subsequent appointment under the procedures outlined in [Figure 12.F.3.2.](#)

12.F.6. Enlisted Provisions

1. To qualify for temporary separation for other than Care for Newborn Children (CNC), a member must be career-oriented, serving as an E-4 or above with more than six years of Active Duty service in the U.S. Coast Guard. To qualify for temporary separation for Care for Newborn Children, a member must be career-oriented, serving as an E-4 or above with more than four years of Active Duty service in the U.S. Coast Guard
2. Enlisted members shall submit their written request for discharge under the temporary separation policy to Commander, (CGPC-epm-l) (with a copy to Commander, (CGPC-rpm) if the member desires to affiliate with the Reserve program) via their Commanding Officer with the signed acknowledgment of conditions as an attachment to the request. If members desire to affiliate with the Reserve program during the temporary separation, and if not included in the original request for temporary separation, they must apply for a Reserve enlistment at least three months in advance of the desired date of separation from Active Duty. This application process must be coordinated with the Coast Guard Personnel Command (CGPC-rpm).

3. In the forwarding endorsement, commanding officers shall include a statement about the status of any disciplinary action pending, Service schools attended, and a definite recommendation for approval or disapproval. Enclose a copy of the Marks Sheet, CG-3306, for at least four years of marks. For the 12 months before the submission of the request, the member must have an average of four in all evaluation factors and no unsatisfactory mark in Conduct. For members who have no evaluations during the 12 months preceding the request, use marks for the preceding 24 months before submitting the request.
4. Members are separated from the Coast Guard at the Convenience of the Government and receive a RE-1 reenlistment code.
5. Any unearned Selective Reenlistment Bonus (SRB) payments that have been paid to the member will be recouped before the member separates. There is no legal authority for reinstating bonus payments to a member who decides to return to active duty under this policy. 🗨️ See **Reenlistment Bonus Programs Administration**, COMDTINST M7220.33(series).
6. The member has up to 2 years from the separation date to re-enlist through a recruiting office (if not affiliated with the Reserve) or Commander, (CGPC-epm) (if affiliated with the Reserve) and retain the previously held pay grade. Applicants are guaranteed the pay grade held upon return to Active Duty after the temporary separation if they re-enlist within 2 years. If the member is affiliated with the Reserve during temporary separation, reenlistment back to Active Duty after 2 years is not guaranteed. Any applicant who desires to re-enlist outside the specified time frame will be subject to the limitations of the Open Rate List.
7. For advancement purposes, enlisted members' pay grade begins on their reenlistment date. Members who return to Active Duty after the temporary separation will receive full credit for any TIR formerly creditable prior to their separation under this policy for computation of their SWE final multiple.

12.F.7. Statement of Understanding

A Statement of Understanding must accompany each request for separation under the temporary separation policy. 🗨️ [Figure 12.F.7.1.](#)

FIGURE 12.F.7.1.

**STATEMENT OF UNDERSTANDING OF CONDITIONS
FOR TEMPORARY SEPARATION**

I, [member's name], acknowledge I am fully aware of the conditions for separation and re-entry in the Coast Guard under the temporary separation policy. I understand my discharge from the Coast Guard and return to Active Duty will be effected only under specific provisions stated in the CG Personnel Manual, COMDTINST M1000.6 (series). Additional temporary separation policy specific conditions include:

1. The member must be discharged or RELAD from the U.S. Coast Guard; officers returning to Active Duty receive a subsequent appointment to their former grade and an adjusted date of rank; enlisted members must reenlist through a recruiting office to return to Active Duty with the same grade last held on Active Duty. For advancement purposes, enlisted members' pay grade begins on their reenlistment date. Members who return to Active Duty after the temporary separation will receive full credit for any TIR formerly creditable prior to their separation under this policy for computation of their SWE final multiple.
2. Officers who affiliate with the Reserve, must apply for a Reserve commission and will be appointed the same rank as held on Active Duty; enlisted members may enlist in the Reserve after being separated from Active Duty.
3. Officers must ensure Officer Evaluation System (OES) responsibilities for all Active Duty service are met prior to separation. Those officers who affiliate with the Reserve must ensure all OES responsibilities for Reserve service are met prior to return to Active Duty.
4. The member must complete a physical examination at a U.S. Military Entrance Processing Station (MEPS) and meet retention physical standards.
5. After discharge, the applicant must submit a Notice of Intent to Commander, (CGPC-CGRC) with copy to Commander, (CGPC-epm) or (CGPC-opm) no less than six months and no more than one year before the intended date of return to Active Duty.
6. If the member joins the Reserve, the member must submit a Notice of Intent to Commander, (CGPC-opm) or (CGPC-epm) with a copy to Commander (CGPC-rpm) no less than six months and no more than one year before the intended date of return to Active Duty or desire to remain in the Reserve.
7. If an applicant elects to join the Coast Guard Reserve, he or she understands that they pursue one of following options ([Figure 12.F.2.1](#))
 - a. Return to Active Duty after the up to 2-year temporary separation at the original rank/rate.
 - b. Remain in the Reserve after the up to 2 year temporary separation with limited possibility for opportunities for Extended Active Duty (EAD) contract(s) after termination of the temporary separation agreement and possible integration (officers) or reenlistment (enlisted) into Active Duty based on Service needs.

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- c. Apply for extended Active Duty (EAD) while in the Reserve with possible integration (officers) or reenlistment (enlisted) to Active Duty. (This option will terminate the temporary agreement).
8. The member understands on discharge under this policy, he or she loses eligibility for certain benefits, among them include:
 - a. Pay and allowances;
 - b. Continued accrual of service for retirement;
 - c. Eligibility for commissary, exchange, theater, and
 - d. The member's and dependent's related privileges and medical care.
9. The member understands that upon affiliation with the Reserve, he or she may receive certain benefits, among them include:
 - a. IDT pay, ADT pay and allowances, ADSW opportunities, SGLI, commissary, exchange, theater, and Reserve Dental Insurance (SELRES only); and
 - b. Continued accrual of service for retirement.
10. The member has up to 2 years from the date of discharge, unless otherwise specified, to return to Active Duty under the temporary separation policy and retain the last held pay grade.
11. Members discharged from the Service are allowed transportation of household effects from the last duty station to home of record or the place from which they were ordered to Active Duty.
12. For officers, CWO (COMMS) and enlisted members in ratings requiring security clearances, this statement:

I understand in conjunction with my return to Active Duty, a Background Investigation or National Agency Check, as applicable, will be conducted to determine my qualifications to serve as an officer or in a specialty or rating in the USCG. If it is determined I am not eligible for a security clearance; I may lose all guarantees under the temporary separation policy and be separated from the Coast Guard.

Member's Signature

Date

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12.G. Enlisted High Year Tenure

12.G.1. Discussion

The High Year Tenure policy establishes limits on the amount of time an active duty enlisted member can remain at each pay grade. It is designed to increase personnel flow, compel members to advance in their rating, and allow more consistent training and advancement opportunities for the enlisted workforce. With more balanced, consistent opportunities, the Coast Guard can retain the most highly motivated members who in turn gain in experience and ensure the Coast Guard retains its leadership and professional continuity.


12.G.2. Definitions

1. Active Military Service. All active duty and active duty for training in the United States Army, Navy, Air Force, Marine Corps, and Coast Guard or any component of these services.
2. Active Coast Guard Service. All active duty and active duty for training served as a member of the United States Coast Guard.
3. Professional Growth Point (PGP). The maximum time in service for each pay grade.

12.G.3. Professional Growth Points

GRADE	PROFESSIONAL GROWTH POINT
E-1	Completion of enlistment contract. Cannot reenlist or extend.
E-2	Four years' active military service. Cannot reenlist or extend beyond four years' active military service.
E-3 E-4	Seven years' active Coast Guard service or 10 years' active military service, whichever gives the member a greater total of active military service. May reenlist or extend up to but not beyond seven years, one month's active Coast Guard service or 10 years, one month's active military service.
E-5	Twenty years' active military service. May reenlist or extend up to but not beyond 20 years, one month's active military service.
E-6	Twenty-two years' active military service. May reenlist or extend up to but not beyond 22 years, one month's active military service.
E-7	Twenty-six years' active military service. May reenlist or extend up to but not beyond 26 years, one month's active military service.
E-8	Twenty-eight years' active military service. May reenlist or extend up to but not beyond 28 years, one month's active military service. For rates not having authorized E-9 billets, a member advanced or above the cutoff on the E-8 advancement eligibility list may reenlist or extend up to but not beyond 30 years, one month's active military service.
E-9	Thirty years' active military service. May reenlist or extend up to but not beyond the last day of the month that the member completes 30 years active military service. Members in pay grade E-9 who are completing or have been ordered to a standard tour in the MCPO-CG and Commandant-designated "Gold Badge" CMC billets may reenlist or extend beyond 30 years' active military service for a period not to exceed completion of a standard tour as the CMC .

12.G.4. Changing the Professional Growth Point

1. Advancement.
 - a. If a member is above the cutoff on an advancement eligibility list, his or her PGP increases on the advancement eligibility list's date to the pay grade to which the member will advance, provided the member remains eligible for advancement throughout the entire Servicewide Examination (SWE) cycle. If a member is below the cutoff but advances from that advancement eligibility list before reaching his or her current PGP, the PGP increases to the pay grade to which advanced on the date of the Coast Guard Personnel Command's Advancement Authorization message.
 - b. If the member's advancement was held in abeyance, the command must be cognizant of the member's PGP. If a member's advancement is held in abeyance, he or she is eligible to advance until that list expires. However, if the member's PGP occurs before the list expires, the PGP takes precedence. The member cannot go beyond the PGP even though the list has not expired.
2. Reduction. If a member is reduced in rate, the reduction in pay grade may place the member beyond the reduced paygrade's HYT PGP because the member will have more active military service than the reduced paygrade permits. In this case, the below applies:
 - a. Members reduced by one paygrade.
 - (1) Members in paygrade E-5 who are reduced to paygrade E-4 will be allowed to keep their E-5 HYT PGP.
 - (2) Members in paygrade E-6 and above, who are reduced one paygrade will be allowed to keep their E-6 HYT PGP.
 - (3) If a member is advanced to a higher paygrade, then the HYT PGP increases to the paygrade to which advanced.
 - b. Members reduced two or more paygrades. Members reduced by two or more paygrades (i.e. E-6 to E-4) will be processed as follows:
 - (1) Members in paygrade E-6 or below, who are reduced two or more paygrades (i.e. E-6 to E-4) will be allowed to remain on active duty for a period of up to 36 months from the date of reduction or to the HYT PGP of the grade held upon completion of the 36 month period, whichever is greater.
 - (2) Members in paygrade E-7 and above, who are reduced two or more paygrades (i.e., E-7 to E-5), will be separated using the HYT PGP of the paygrade to which reduced.
 - (3) If a member is advanced to a higher paygrade, then the HYT PGP increases to the paygrade to which advanced.
3. Waiver. Submit a request for waiver not later than six months before the member reaches his or her PGP. If approved, the PGP will be changed as Commander, (CGPC-epm-1) directs effective the date of approval.  Article 12.G.9.

12.G.5. REENLISTMENTS AND EXTENSIONS

1. Members can re-enlist or extend only for periods that will expire before one month after their PGP date. Unless Commander, (CGPC-epm-1) grants a HYT waiver, the HYT policy supersedes other reenlistment policies or extension opportunities.
2. Reenlistments must comply with [Chapter 1.G.](#) requirements. To ensure maximum time in service in a respective PGP, the member may have to employ a combination of reenlistments and extensions to bring his or her enlistment expiration date as close as possible to one month after the PGP date.
3. Members undergoing a medical board may request retention, through a series of extensions if necessary, after their PGP to complete the medical board. Retention for this purpose requires Commander, (CGPC-epm-1) authorization. Participation in the Servicewide Examination (SWE) competition process will comply with [Article 5.C.12.](#)
4. Members who have already extended their enlistment for the cumulative six-year maximum may request retention until their PGP. Such retention requires Commander, (CGPC-epm-1) authorization.

12.G.6. OBLIGATED SERVICE

1. When obligated service requirements would take the member beyond the PGP, the PGP takes precedence. The member must meet obligated service requirements by re-enlisting or extending to bring his or her enlistment expiration date as close as possible to one month after the PGP.
2. If the member's current PGP does not allow him or her to meet obligated service requirements for advancement from the date of the advancement eligibility list, he or she is still authorized to participate in the SWE and advance.

12.G.7. SEPARATION OR RETIREMENT

1. Commander, (CGPC-epm-1) will discharge a member who fails to advance before his or her PGP date. However, a retirement-eligible member may request retirement.
2. Discharge. Commander, (CGPC-epm-1) discharges members who exceed their PGP before one month after their PGP date. The Narrative Reason for separation is Maximum Service or Time in Grade and the separation is involuntary.

Members do not have to remain until their PGP date but may request discharge due to HYT within one year of their PGP date; this separation too is involuntary and will be approved as Service needs allow. An Administrative Discharge Board is not authorized for members discharged due to HYT.

3. Retirement. Retirement-eligible members may request to retire on an effective date before the end of the month in which they exceed their PGP and may stipulate voiding the request if their PGP increases before the requested retirement date. As such, Commander, (CGPC-epm-1) will not remove these members from the advancement eligibility list until they retire. However, if they do not desire to void their request, they will be removed when their retirement is approved.

12.G.8. CHANGE IN RATE

1. Members who request a change in rate must adhere to HYT requirements. They must ensure they are satisfactorily informed about HYT's affect on their career. Commander, (CGPC-epm-1) will deny requests if, at a minimum, on attaining the new rate, the member will not have the opportunity to compete in two SWEs and place above the cutoff or attain the next higher pay grade for the new rate. Requests may be denied for such reasons as Service needs, conduct, performance, or training opportunities.
2. Members who are authorized to change rate remain on active duty for a period Commander, (CGPC-epm-1) determines based on the change-in-rate date; the period will be long enough to allow the member the opportunity to compete in at least two SWEs in which to attain the next pay grade.

12.G.9. WAIVERS

1. Members in pay grades E-4 through E-9 may submit waivers to change the PGP date, which must arrive six to 12 months before that date. Commander, (CGPC-epm-1) will reject waivers without consideration if they arrive less than six months before the member's PGP.
2. Waivers must be in the form of a letter from the member to Commander, (CGPC-epm-1) with his or her commanding officer's endorsement containing the command's recommendation whether the member should be granted a waiver and commenting on the benefit to the Service of retaining the member.
3. Commander, (CGPC-epm-1) will judge the waiver request on these criteria. The member should address each applicable criterion whether he or she:
 - a. Possesses critical abilities, skills, or qualifications fulfilling a Service need.

- b. Experienced unusual circumstances which prevented him or her from competing for advancement within the PGP.
 - c. Has an especially deserving, somewhat unexpected circumstance so retention beyond the PGP date would reduce an impending hardship on the member's separation or retirement.
- 4. Requests should include any supporting documents, including copies of items in the member's unit record, to clarify or verify the member's circumstances.
- 5. The waiver panel will review the member's waiver submission and official service record.
- 6. The waiver panel will review waiver requests to decide in sufficient time to allow the member to prepare for separation or retirement. However, a member's late submission will not place the burden of a timely review on the waiver panel.
- 7. The waiver panel is composed of Commander, (CGPC-epm), Commandant (G-WR-2), and Commandant (G-CMCPO). Based on a majority vote, the panel will make a recommendation to Commander, (CGPC-c), who has final decision authority.
- 8. Commander, (CGPC-c) may grant waivers up to an allowable maximum of five years, in one- or two-year increments, beyond the PGP date.
- 9. Members in pay grade E-2 who have been determined ineligible for reenlistment by a Centralized First Term Reenlistment Review (CFTRR) panel and also identified for separation under HYT will be separated under the CFTRR process unless otherwise directed. ➡ Chapter 14.C.